



## **WARRANT**

For

### **Annual Town Meeting**

April 11, 2015

9:00 a.m.

Hamilton-Wenham Regional High School  
Auditorium

### **Annual Town Election**

April 16, 2015

7:00 a.m. – 8:00 p.m.

Winthrop School  
Cafeteria

**Please note:** The appendices are available at Town Hall, on-line at [www.hamiltonma.gov](http://www.hamiltonma.gov), and at the meeting. They were omitted from the warrant mailing to save on printing and postage costs.

## **Town By-Laws**

### **CHAPTER II**

#### **RULES AND PROCEDURE OF TOWN MEETINGS**

**SECTION 1.** All articles in the warrant shall be taken up in the order of their arrangement, unless otherwise decided by a two-thirds vote, except that unanimous consent shall be required for inclusion of an Article in a "Consent Motion" group of Articles that will be taken up by the meeting for voting on the group.

**SECTION 2.** In case of motions to amend, or to fill out blanks, the one expressing the largest sum or the longest time shall be put first, and an affirmative vote thereon shall be a negative vote on any smaller sum or shorter time.

**SECTION 3.** The report of a committee shall be deemed properly before a meeting if a request for its acceptance is included in an article of the warrant and a copy is published in the Special Report or is filed with the Town Clerk fifteen days prior to the meeting. A vote to accept a final report shall discharge the committee but shall not be equivalent to a vote to carry out its recommendations. A vote on recommendations included in a committee report shall only be in order under an article to that effect in the warrant. A vote to accept a report of progress shall continue the committee under its original authority unless otherwise specified.

**SECTION 4.** If an article of the Warrant has once been acted upon and disposed of, it shall not be again considered at the meeting except by a two-thirds vote.

**SECTION 5.** No money shall be appropriated from the Stabilization Fund except by a 2/3 vote at a Town Meeting.

**SECTION 6.** Only registered voters of the Town shall be admitted and entitled to vote at any Annual or Special meeting provided that upon prior request the Moderator may admit to the meeting persons who are not registered voters and in his discretion may permit them to speak on a subject. Any person so permitted to speak at a meeting shall announce his full name and address to the meeting.

**SECTION 7.** Motions at Town Meeting shall be made orally, but the Moderator may require any motion also to be submitted in writing. Unless otherwise directed thereby the Moderator shall appoint all committees created by the vote of the Town.

**SECTION 8.** The conduct of all Town Meetings not prescribed by law or by the foregoing rules shall be determined by the rules of practice contained in Town Meeting Time, A Handbook of Parliamentary Law, Second Edition.

**SECTION 9.** On matters requiring a two-thirds vote, either by statute or these By-Laws, a count need not be taken and the vote need not be recorded unless the vote declared is immediately questioned by seven or more voters as provided in General Laws, Chapter 39, Section 15.

# Annual Town Meeting – April 11, 2015

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***Please note:*** The appendices are available at the Town Hall, on-line @ [www.hamiltonma.gov](http://www.hamiltonma.gov) and at the meeting. They were omitted from the warrant mailing to save on printing and postage costs.

## Annual Town Meeting – April 11, 2015



ESSEX, SS

### TO THE CONSTABLE OF THE TOWN OF HAMILTON:

#### GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hamilton qualified to vote in election and town affairs, to meet at the Hamilton-Wenham Regional High School in said town, on Saturday, the eleventh day of April, in the year Two Thousand Fifteen (April 11, 2015) at nine o'clock in the morning (9:00 a.m.), then and there to act on the following articles.

#### SECTION 1: ELECTIONS, REPORTS, PROCEDURES

<b>ARTICLE 2015/4 1-1</b>  <i>Election of Officers and Ballot Question</i>	<p>To elect the following Town and School District Officers and to vote for a ballot question at the Annual Town Election on Thursday, April 16, 2015 from 7:00 a.m. to 8:00 p.m. at the Winthrop School.</p> <ul style="list-style-type: none"><li>• Town Moderator for one year</li><li>• Two Selectmen for three years</li><li>• One Town Clerk for 2 years (to fill unexpired term)</li><li>• One Planning Board member for 5 years</li><li>• One Assessor for three years</li><li>• One Hamilton Housing Authority member for 5 years</li><li>• Two Hamilton-Wenham Public Library Trustees at large for 3 years</li><li>• Two members of the Hamilton-Wenham School Committee, for 3 years</li></ul> <p>The ballot question is reprinted at the end of this Warrant.</p>
<b>ARTICLE 2015/4 1-2</b>  <i>Reports</i>	<p>To hear reports of Town Officers and selected committees and to take action thereon or relative thereto. Reports will appear in the Town Report for Calendar Year 2014.</p>
<b>ARTICLE 2015/4 1-3</b>  <i>Article for Consent Motion</i>	<p>To see if the Town will consolidate in one consent motion containing the motions for those articles that, in the opinion of the Moderator, are not controversial and can be passed without debate, or take any other action thereon or relative thereto.</p>

#### SECTION 2: FINANCIAL ACTIONS

<b>ARTICLE 2015/4 2-1</b> <i>Appropriation Transfer from FY'12 Overlay Reserve to FY'10 Allowance for Abatements &amp; Exemptions</i>	<p>To see if the Town will release a sum of money from FY'12 Overlay Reserve and transfer that sum to FY'10 Allowance for Abatements &amp; Exemptions, or take any other action thereon or relative thereto. (<i>Expected request is \$20,000.00</i>)</p> <p><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></p>
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**Annual Town Meeting – April 11, 2015**

<p><b>ARTICLE 2015/4 2-2</b></p> <p align="center"><i>Compensation/ Classification Table</i></p>	<p>To see if the Town will amend the Personnel By-law by adopting changes to the classification and compensation table, or take any other action thereon, or relative thereto. [The Proposed Compensation/Classification Table appears as <b>Appendix A</b> to the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-3</b></p> <p align="center"><i>General Town Departmental Appropriations</i></p>	<p>To see if the Town will raise and appropriate money for schools and all other Town expenses and determine the manner of expending same, or take any action thereon or relative thereto. (<i>Expected request is \$ \$27,189,074</i>) [The proposed budget appears as <b>Appendix B</b> to the 2015 Appendix Book.] [The approved school budget appears as <b>Appendix C</b> to the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-4</b></p> <p align="center"><i>General Town Capital Appropriations</i></p>	<p>To see if the Town will raise and appropriate or transfer from available funds money for the town capital expense, or take any other action thereon, or relative thereto. (<i>Expected request is \$353,695.000</i>) [The proposed budget appears as <b>Appendix D</b> to the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-5</b></p> <p align="center"><i>Water Enterprise Budget</i></p>	<p>To see if the Town will approve the FY 16 Water Enterprise Budget or take any action thereon, or relative thereto. (<i>Expected request is \$1,631,948.00</i>) [The proposed budget appears as <b>Appendix E</b> to the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-6</b></p> <p align="center"><i>Waste Reduction Enterprise Budget</i></p>	<p>To see if the Town will approve the FY 16 Waste Reduction Enterprise Budget or take any action thereon, or relative thereto. (<i>Expected request is \$387,055.00</i>) [The proposed budget appears as <b>Appendix F</b> to the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-7</b></p> <p align="center"><i>Annual Financial Actions</i></p>	<p>To see if the Town will authorize the following financial actions, or take any action thereon, or relative thereto.</p> <ul style="list-style-type: none"> <li>A. To transfer a sum of money from the Cemetery Sale of Lots and Graves Fund to be used for cemetery purposes (<i>Expected request \$2,000</i>);</li> <li>B. To transfer a sum of money from the Clark Property Fund to the Conservation Fund (<i>Expected request \$217.00</i>);</li> <li>C. To transfer a sum of money from the Water Enterprise Fund to the General Fund to be used for indirect expenses (<i>Expected request \$334,307</i>);</li> <li>D. To transfer a sum of money from the General Fund to the Waste Reduction Enterprise Fund to be used for solid waste expenses (<i>Expected request \$321,070</i>).</li> </ul> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>

**Annual Town Meeting – April 11, 2015**

<p><b>ARTICLE 2015/4 2-8</b></p> <p><i>Community Preservation Budget</i></p>	<p>To see if the Town will act on the Report of the Community Preservation Committee on the Fiscal Year 2016 Community Preservation Budget and specified other projects and appropriate or reserve for later appropriation monies from community preservation fund annual revenues, specific reserves or other available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year, or take any action thereon or relative thereto. [The Budget appears as <b>Appendix G</b> of the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-9</b></p> <p><i>Stabilization Fund for Patton Proceeds</i></p>	<p>To see if the Town will establish a Stabilization Fund for the special purpose of funding recreational fields and all incidental and related costs, and further to transfer money from the current Stabilization Fund to this special purpose Stabilization Fund, or take any other action thereon or relative thereto. <i>(Expected request of \$500,000.00)</i></p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-10</b></p> <p><i>Annual Authorization of Revolving Funds</i></p>	<p>To see if the Town, pursuant to M.G.L. c. 44, § 53E ½, will authorize or reauthorize revolving funds for certain town departments for the fiscal year beginning July 1, 2015, or take any action thereon, or relative thereto. [The proposed budgets and details of expenditure appear as <b>Appendix H</b> to the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-11</b></p> <p><i>Hamilton Development Corporation</i></p>	<p>To see if the Town will raise and appropriate or transfer from available funds a sum of money to the Hamilton Development Corporation, or take any action thereon or relative thereto. <i>(Expected request is \$65,000.00)</i></p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-12</b></p> <p><i>OPEB Trust Fund</i></p>	<p>To see if the Town will raise and appropriate or transfer from available funds a sum of money to the Other Post Employment Benefits Liability Trust Fund to reduce the unfunded liability of health care and other post employment benefits to meet the normal cost of all such future benefits for which the Town is obligated, or take any action thereon or relative thereto. <i>(Expected request is \$25,000)</i></p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 2-13</b></p> <p><i>Rewrite of Zoning By-law</i></p>	<p>To see if the Town will raise and appropriate or transfer from available funds money to retain professional services to provide technical and legal assistance in reviewing and rewriting the provisions of the Town's Zoning By-laws to ensure that such provisions are necessary and adequate to protect public safety, health, and the environment, or take any other action thereon or relative thereto. <i>(Expected request of \$50,000.00)</i></p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>

### Annual Town Meeting – April 11, 2015

<p><b>ARTICLE 2015/4 2-14</b></p> <p><i>Water Distribution System Replacement Program</i></p>	<p>To see if the Town will appropriate a sum of money to pay costs of Phase II of the Town's water distribution system replacement program, including the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by borrowing or otherwise, or take any other action thereon or relative thereto. <i>(Expected request of \$5,000,000.00)</i></p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
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### SECTION 3: PLANNING /ZONING ACTIONS

<p><b>ARTICLE 2015/4 3-1</b></p> <p><i>Amendment to Senior Housing Zoning By-law</i></p>	<p>To see if the Town will amend the Zoning By-law Section V.E.7 "Permitted Uses" to expand the potential senior housing opportunities, or take any other action thereon or relative thereto. [The proposed by-law appears as <b>Appendix I</b> of the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</i></b></p>
<p><b>ARTICLE 2015/4 3-2</b></p> <p><i>Amendment to GPOD Map</i></p>	<p>To see if the Town will amend the Groundwater Protection Overlay District and Map to be consistent with the current Massachusetts Department of Environmental Protection Zone II Boundary, or take any other action thereon or relative thereto. [The proposed map amendment appears at <b>Appendix J</b> of the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 3-3</b></p> <p><i>Site Plan Review to Planning Board</i></p>	<p>To see if the Town will amend the Zoning By-law, <i>passim</i>, to transfer Site Plan Review authority from the Zoning Board of Appeals to the Planning Board, or take any other action thereon or relative thereto. [The proposed by-law appears as <b>Appendix K</b> of the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at Town Meeting.</i></b></p>
<p><b>ARTICLE 2015/4 3-4</b></p> <p><i>Citizens' Petition Site Plan Review to Planning Board</i></p>	<p>"To amend Article 15 of the Town's Site Plan Review By-law Section VI.H (copy of Town Bylaw: Appendix ____ A), so that Site Plan Review is held under the authority and oversight of The Planning Board, not under the authority of the Zoning Board of Appeals and that all Amendments and Abbreviated Site Plan Reviews (Article 2008/5 303 and Article 2006/5 4-5) to said Bylaw reflect this change AND To determine that Site Plan Review changes as indicated in Section VI, Article 15, Sections H.3 through H.7 by the language as set forth in Appendix ____ B be adopted, or that the Town of Hamilton take any other action thereon, or relative thereto." [The Citizens' Petition and attachments appears as <b>Appendix L</b> of the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at Town Meeting.</i></b></p>



### Annual Town Meeting – April 11, 2015

<p><b>ARTICLE 2015/4 3-5</b></p> <p><i>Amendment to Communication Towers (CT) and Telecommunications Antenna Facilities (TAF)</i></p>	<p>To see if the Town will amend the Zoning By-law Section VI.J “Communication Towers (CT) and Telecommunications Antenna Facilities (TAF)” to change the height and clearance restrictions for towers or antenna support structures, or take any other action thereon or relative thereto.</p> <p>[The proposed by-law appears as <b>Appendix M</b> of the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
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### SECTION 4: TOWN BY-LAW AMENDMENTS

<p><b>ARTICLE 2015/4 4-1</b></p> <p><i>Incorporate the Personnel By-law in the Town General By-law</i></p>	<p>To see if the Town will amend the Town By-laws to assign as Ch. XXXIV “Personnel By-law” the Personnel By-law adopted by the 2000 Annual Town Meeting or take any other action thereon or relative thereto.</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 4-2</b></p> <p><i>Plastic Bag Reduction and Prohibition of Expanded Polystyrene Food and Beverage Containers</i></p>	<p>To see if the Town will amend the Town By-laws by adding a new Chapter XXXV, “Plastic Bag Reduction and Expanded Polystyrene Food and Beverage Containers Prohibited” or take any other action thereon or relative thereto.</p> <p>[The proposed by-law appears as <b>Appendix N</b> of the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at Town Meeting.</i></b></p>
<p><b>ARTICLE 2015/4 4-3</b></p> <p><i>Water Runoff to Roadway Prohibited</i></p>	<p>To see if the Town will amend the Town By-laws by adding a new Section 9 to Chapter X, “Ways” and amend Section 8 of Chapter XXX to prohibit discharge of water onto the public way between November 15 to April 15, or take any other action thereon or relative thereto.</p> <p>[The proposed by-law appears as <b>Appendix O</b> of the 2015 Appendix Book.]</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at Town Meeting.</i></b></p>
<p><b>ARTICLE 2015/4 4-4</b></p> <p><i>Term for Planning Board Members</i></p>	<p>To see if the Town will set the length of term for Planning Board members at three (3) years and amend the Town By-laws by adding a sentence to Chapter III, Section 13 to include the length of term for Planning Board members, or take any other action thereon or relative thereto.</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>
<p><b>ARTICLE 2015/4 4-5</b></p> <p><i>Certification of Town Clerk</i></p>	<p>To see if the Town will accept the provisions of G.L. c. 41, § 19K regarding compensation for a Certified Town Clerk, or take any other action thereon or relative thereto.</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b></p>

**Annual Town Meeting – April 11, 2015**

<b>ARTICLE 2015/4 4-6</b>  <i>Certification of Treasurer/Collector</i>	To see if the Town will accept the provisions of G.L. c. 41, § 108P regarding compensation for a Certified Collector or Treasurer, or take any other action thereon or relative thereto.  <b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b>
<b>ARTICLE 2015/4 4-7</b>  <i>Certification of Assessor</i>	To see if the Town will accept the provisions of G.L. c. 59, § 21A regarding compensation for a Certified Assessor, or take any other action thereon or relative thereto.  <b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b>

**SECTION 5: OTHER APPROPRIATIONS AND ACTIONS**

<b>ARTICLE 2015/4 5-1</b>  <i>Gift of Sidewalk Easement</i>	To see if the Town will authorize the Board of Selectmen to accept from Cumberland Farms a gift of easement for a sidewalk to be constructed by Cumberland Farms at the Walnut Street/Bay Road intersection, on such terms and conditions as are acceptable to the Board of Selectmen, or take any other action thereon or relative thereto.  <b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b>
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**SECTION 6: CLOSING FINANCIAL ACTIONS**

<b>ARTICLE 2015/4 6-1</b>  <i>Free Cash Application</i>	To see if the Town will reserve, appropriate and authorize the Assessors to use available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2015, or take any action thereon or relative thereto. ( <i>Expected request \$650,000.00</i> )  <b><i>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</i></b>
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**BALLOT QUESTION**

1. Shall the Town of Hamilton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to pay costs of purchasing and equipping a new ladder truck for the use of the Fire Department, including the payment of all costs incidental and related thereto?

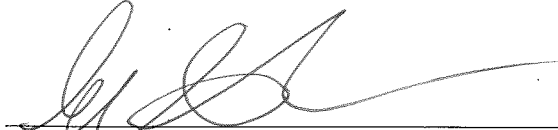
***Annual Town Election will be held on Thursday, April 16, 2015 at the Winthrop School.  
The polls will be open from 7:00 a.m. to 8:00 p.m.***

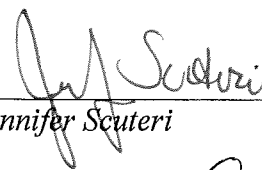
Annual Town Meeting – April 11, 2015

ADJOURNMENT

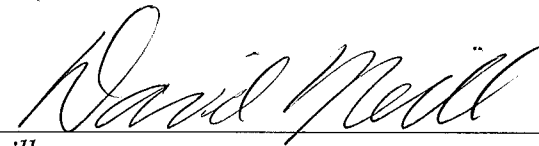
Given under our hands [date] 3-9-2015

**HAMILTON BOARD OF SELECTMEN**

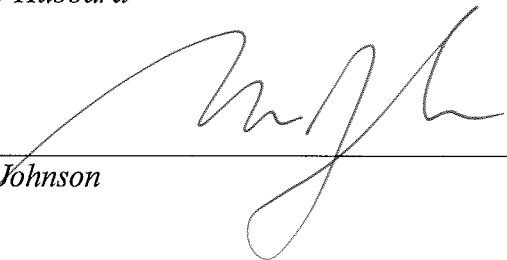
  
\_\_\_\_\_  
Scott Muddern, Chair

  
\_\_\_\_\_  
Jennifer Scuteri

3-16-2015

  
\_\_\_\_\_  
David Neill

\_\_\_\_\_  
Jeffrey Hubbard

  
\_\_\_\_\_  
Marc Johnson

Hamilton, Massachusetts

I have this day served this warrant as directed by Chapter 1, Section 1b of the Town By-laws.

Constable  March 16, 2015

DEMOCRACY IS NOT A SPECTATOR SPORT

9:00 a.m.

Hamilton-Wenham Regional High School  
Auditorium

ANNUAL TOWN MEETING

Saturday, April 11, 2015

Please join us

Please bring this war-  
rant with you to the  
Town Meeting.  
Thank you.

Town of Hamilton  
577 Bay Road  
Hamilton, MA  
01936

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**Appendices**  
**for**  
**Annual Town Meeting Warrant**

April 11, 2015  
9:00 a.m.  
Hamilton-Wenham Regional High School  
Auditorium

**Annual Town Election**

April 16, 2015  
7:00 a.m. – 8:00 p.m.  
Winthrop School  
Cafeteria

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# **APPENDIX A** **COMPENSATION / CLASSIFICATION TABLE** **FISCAL YEAR 2016**

## **Salary and Wage Positions**

(#) = See footnote - end of Comp. Table

### **Salaried Positions**

Steps	I Start	II 6 months	III 18 months	IV 30 months	V 42 months	VI 54 months	VII 66 months
Chief Appraiser	79,671.06	82,857.90	86,172.22	89,619.11	93,203.87	96,932.02	100,809.30
Chief of Fire	79,671.06	82,857.90	86,172.22	89,619.11	93,203.87	96,932.02	100,809.30
Chief of Police	79,671.06	82,857.90	86,172.22	89,619.11	93,203.87	96,932.02	100,809.30
Director of Finance/Accountant	79,671.06	82,857.90	86,172.22	89,619.11	93,203.87	96,932.02	100,809.30
Director of Planning & Development	79,671.06	82,857.90	86,172.22	89,619.11	93,203.87	96,932.02	100,809.30
Director of Public Works	79,671.06	82,857.90	86,172.22	89,619.11	93,203.87	96,932.02	100,809.30
Director of Assessors	58,060.24	60,382.65	62,797.96	65,309.88	67,922.28	70,639.17	73,464.74
Health Agent	58,060.24	60,382.65	62,797.96	65,309.88	67,922.28	70,639.17	73,464.74
Health Inspector	58,060.24	60,382.65	62,797.96	65,309.88	67,922.28	70,639.17	73,464.74
Public Health Nurse	58,060.24	60,382.65	62,797.96	65,309.88	67,922.28	70,639.17	73,464.74
Treasurer-Collector	58,060.24	60,382.65	62,797.96	65,309.88	67,922.28	70,639.17	73,464.74
Council on Aging Director	49,199.49	51,167.47	53,214.17	55,342.74	57,556.45	59,858.71	62,253.06
Emergency Center Supervisor	49,199.49	51,167.47	53,214.17	55,342.74	57,556.45	59,858.71	62,253.06
Recreation Director	49,199.49	51,167.47	53,214.17	55,342.74	57,556.45	59,858.71	62,253.06
Town Accountant (Vacant)	49,199.49	51,167.47	53,214.17	55,342.74	57,556.45	59,858.71	62,253.06
Town Clerk (Elected)	49,199.49	51,167.47	53,214.17	55,342.74	57,556.45	59,858.71	62,253.06
Building/Zoning Inspector	41,708.75	43,377.10	45,112.18	46,916.67	48,793.34	50,745.07	52,774.87
Conservation Coordinator	41,708.75	43,377.10	45,112.18	46,916.67	48,793.34	50,745.07	52,774.87
Community Project Coordinator	41,708.75	43,377.10	45,112.18	46,916.67	48,793.34	50,745.07	52,774.87

### **Hourly Waged Positions**

Steps	I Start	II 6 months	III 18 months	IV 30 months	V 42 months	VI 54 months	VII 66 months
Asst. to the Town Manager	20.94	21.78	22.65	23.56	24.50	25.48	26.50
Assistant Town Accountant	22.58	23.48	24.42	25.40	26.42	27.48	28.58
Assistant Treasurer/Collector	22.58	23.48	24.42	25.40	26.42	27.48	28.58
Facilities Maintenance Technician	20.80	21.63	22.50	23.40	24.34	25.31	26.32
Social Services Specialists	17.91	18.63	19.38	20.16	20.97	21.81	22.68
Animal Control Officer	15.90	16.54	17.20	17.89			
Clerk/Typist	16.10	16.74	17.41	18.11			
Custodian	16.83	17.50	18.20	18.93			
Emergency Center Dispatcher (P/T)	16.83	17.84	18.91	20.04			
Fire Equipment Mechanic	24.72	25.71	26.74	27.81			
Matron	18.26	19.36	20.52	21.75			
Reserve Patrolman	18.26	19.36	20.52	21.75			

## APPENDIX A

[illegible]

## Collective Bargaining Unions

**Administrative Assistant Union - Hourly Compensation table established by Union Contract.**

*6/30/14 - In Negotiations*

Steps	I	II	III	IV	V	VI	VII
	Start	6 months	18 months	30 months	42 months	54 months	66 months
Administrative Assts. - Grade I	17.85	18.56	19.30	20.07	20.87	21.70	22.57
Administrative Assts. - Grade II	19.11	19.87	20.66	21.49	22.35	23.24	24.17

**DPW Union - Hourly Compensation table established by Union Contract.**

7/1/2015

Steps	I	II	III	IV	V	VI	VII	VIII	IX	X
Upon completion of Service Timeframe	0	9 months	18 months	36 months	48 months	60 months	72 months	84 months	120 months	240 months
Foreman	22.80	23.42	24.05	24.70	25.37	26.05	26.75	27.23	27.39	27.88
Mechanic	22.80	23.42	24.05	24.70	25.37	26.05	26.75	27.23	27.39	27.88
Plant Operator-Primary	22.80	23.42	24.05	24.70	25.37	26.05	26.75	27.23	27.39	27.88
Foreman 2	20.82	21.38	21.96	22.55	23.16	23.79	24.43	24.87	25.02	25.47
Plant Operator-Secondary	20.45	21.00	21.57	22.15	22.75	23.36	23.99	24.42	24.57	25.01
Heavy Equipment Operator	19.78	20.31	20.86	21.42	22.00	22.59	23.20	23.62	23.76	24.19
Truck Driver Labor	18.41	18.91	19.42	19.94	20.48	21.03	21.60	21.99	22.12	22.52

**Firefighter Union - Hourly Compensation table established by Union Contract.**

Steps	I	II	III	IV	V	VI	VII
	0	1 yrs.	2 yrs.	3 yrs.	4 yrs.	5 yrs.	6 yrs.
Firefighter/EMT	21.00	21.84	22.71	23.62	24.56	25.54	26.56
FF/EMT/Inspector	24.57	25.55	26.57	27.63	28.74	29.89	31.09
EMT Certification Stipend (Week/y)	50.00						



# **APPENDIX A** **COMPENSATION / CLASSIFICATION TABLE** **FISCAL YEAR 2016**

**Police Union - Hourly Compensation table established by Union Contract.**

	Steps		I	II	III	IV	V	VI	VII
	Upon completion of years of service		0	1 yrs.	5 yrs.	10 yrs.	15 yrs.	20 yrs.	25 yrs.
1, 4, 5	Employees Hired Prior to 7/1/2010								
1, 4, 5	W/O College Degree		20.90	25.58	26.22	26.85	27.49	28.12	28.51
1, 4, 5	BA/BS		25.09	30.71	31.48	32.24	33.01	33.77	34.24
1, 4, 5	MA/MS		26.13	31.98	32.78	33.57	34.38	35.17	35.66
1, 4, 5	Employees Hired After 7/1/2010								
1, 4, 5	W/O College Degree		20.90	25.58	26.22	26.85	27.49	28.12	28.51
1, 4, 5	BA/BS		22.99	28.14	28.84	29.53	30.24	30.94	31.37
1, 4, 5	MA/MS		23.52	28.79	29.51	30.22	30.95	31.66	32.10

**Police & Fire Signal Operator Union - Hourly Compensation table established by Union Contract.**

7/1/2015

	Steps		I	II	III	IV	V	VI	VII	VIII
	Upon completion of Service Timeframe		0	6 months	18 months	36 months	48 months	60 months	72 months	120 months
4	Dispatcher (weekly rates)		708.72	751.20	796.40	844.00	877.60	912.80	935.60	954.40
	Dispatcher (hourly rates)		17.72	18.78	19.91	21.10	21.94	22.82	23.39	23.86

## **Other**

Elected/Appointed Positions (MGL 41 s.108 & 108A)	Annual Salary
Town Manager	137,333.59
Chief of Police	123,600.22
Selectmen/Chairman	3,225
Board of Assessors/Chairman	2,878
Selectmen/Members	2,852
Board of Assessors/Members	2,150
Board of Appeals/Chairman	1,648
Board of Health/Chairman	856
Board of Health/Members	485

Professional Stipends	Annual Rate
Animal Pick-Up (Deceased)	2,400
Animal Control Officer/Wildlife	2,400
Dog Officer	2,400
Call Fire Deputy Chief	1,500
EMT Certification (Police Officers)	1,500
Harbormaster	1,200
Professional Certifications	1,000
Call Fire Captain	750
Call Fire Training Officer	500
Accreditation Stipend (Police)	250

# **APPENDIX A** **COMPENSATION / CLASSIFICATION TABLE** **FISCAL YEAR 2016**

<b>Inspectional Services</b>	<b>Annual Pay</b>
Building/Zoning Inspector	50.00
Plumbing/Gas Inspector	50.00
Electrical Inspector	50.00
Animal Inspector	36.29
Sealer of Weights & Measures	50.00
Asst. Plumbing/Gas Inspector	50.00
Asst. Electrical Inspector	50.00
Asst. Building Inspector	50.00

<b>Pay Rates - Part-time</b>	<b>Contract Rate</b>
MIS Systems Analyst	(annually) 30,013.00
Energy Manager	(hourly) 32.00
Health Agent	(hourly) 46.30
Information/Social Media Specialist	(hourly) 20.00

<b>Occasional Help</b>	<b>Range of Compensation</b>
Registrar of Voters	(annually) 400.00
Poll Worker	(hourly) 9.00
Recreation Instructor	(hrly./per class) 9.00
Seasonal Employee	(hourly) 9.00
Senior Work-Off Prog.	(hourly) 9.00

## **Legend:**

- 1 Position receives either a "Professional Stipend" or additional compensation for certification. See M.G.L. Ch. 41, Sec. 19K & 108P
- 2 Differs from Wage and Salary table; see "OTHER" section at the end of Compensation Table.
- 3 Less than full-time. Hourly wage is based on annual salary from table calculated on a 37.5 hr. work week.
- 4 Shift differential is 5% for Evening and 7% for Midnight shift
- 5 Lieutenants shall receive 2.5% more than the corresponding patrolman's rate. Sergeants and Inspectors shall receive 15% more than the corresponding patrolman's rate.
- 6 Compensation paid by stipend. See Stipend Table.  
Minimum wage as of January 1, 2015 \$9.00

# APPENDIX B

## GENERAL TOWN DEPARTMENTAL APPROPRIATION

	FY2013 Actual	FY2014 Actual	FY2015 Budget-STM	FY2015 Forecast	FY2016 Proposed	Variance Budget to Proposed
<u>GENERAL GOVERNMENT</u>						
<u>SELECTMEN</u>						
Salaries	\$ 21,083	\$ 19,854	\$ 37,508	\$ 37,508	\$ 35,405	-5.61%
Expenses	\$ 8,288	\$ 5,750	\$ 10,850	\$ 14,633	\$ 12,050	11.06%
<b>Total</b>	<b>\$ 29,371</b>	<b>\$ 25,604</b>	<b>\$ 48,358</b>	<b>\$ 52,141</b>	<b>\$ 47,455</b>	<b>-1.87%</b>
<u>TOWN MANAGER</u>						
Salaries	\$ 174,791	\$ 183,399	\$ 187,478	\$ 187,478	\$ 191,208	1.99%
Expenses	\$ 73,132	\$ 76,012	\$ 102,553	\$ 112,553	\$ 90,919	-11.34%
<b>Total</b>	<b>\$ 247,923</b>	<b>\$ 259,412</b>	<b>\$ 290,031</b>	<b>\$ 300,031</b>	<b>\$ 282,127</b>	<b>-2.73%</b>
<u>FINANCE &amp; ADVISORY COMMITTEE</u>						
Expenses	\$ 234	\$ 21	\$ 250	\$ 250	\$ 250	0.00%
Reserve Fund- <i>Actuals/Forecast are in Department Totals</i>	\$ 52,790	\$ 100,000	\$ 150,000	\$ 150,000	\$ 100,000	-33.33%
<b>Total</b>	<b>\$ 53,024</b>	<b>\$ 100,021</b>	<b>\$ 150,250</b>	<b>\$ 150,250</b>	<b>\$ 100,250</b>	<b>-33.28%</b>
<u>FINANCE</u>						
Salaries	\$ 159,014	\$ 149,915	\$ 151,765	\$ 153,765	\$ 156,775	3.30%
Expenses	\$ 8,809	\$ 1,364	\$ 12,489	\$ 11,489	\$ 9,949	-20.34%
Computer Expense	\$ 89,473	\$ 115,417	\$ 134,050	\$ 124,050	\$ 128,765	-3.94%
Municipal Audit	\$ 33,000	\$ 35,000	\$ 34,000	\$ 34,000	\$ 38,000	11.76%
<b>Total</b>	<b>\$ 290,296</b>	<b>\$ 301,696</b>	<b>\$ 332,304</b>	<b>\$ 323,304</b>	<b>\$ 333,489</b>	<b>0.36%</b>
<u>ASSESSORS</u>						
Salaries	\$ 140,204	\$ 140,584	\$ 144,456	\$ 144,456	\$ 151,404	4.81%
Expenses	\$ 14,325	\$ 11,250	\$ 17,004	\$ 17,004	\$ 18,235	7.24%
<b>Total</b>	<b>\$ 154,529</b>	<b>\$ 151,834</b>	<b>\$ 161,460</b>	<b>\$ 161,460</b>	<b>\$ 169,639</b>	<b>5.07%</b>
<u>TREASURER &amp; COLLECTOR</u>						
Salaries	\$ 152,075	\$ 162,582	\$ 171,463	\$ 171,463	\$ 175,536	2.38%
Expenses	\$ 38,268	\$ 23,916	\$ 45,850	\$ 45,850	\$ 45,150	-1.53%
<b>Total</b>	<b>\$ 190,343</b>	<b>\$ 186,498</b>	<b>\$ 217,313</b>	<b>\$ 217,313</b>	<b>\$ 220,686</b>	<b>1.55%</b>
<u>TOWN COUNSEL</u>						
Retainer	\$ 21,000	\$ 21,000	\$ 21,000	\$ 27,000	\$ 27,000	28.57%
Expenses	\$ 98,933	\$ 77,397	\$ 90,000	\$ 87,293	\$ 90,000	0.00%
<b>Total</b>	<b>\$ 119,933</b>	<b>\$ 98,397</b>	<b>\$ 111,000</b>	<b>\$ 114,293</b>	<b>\$ 117,000</b>	<b>5.41%</b>
<u>FACILITY MANAGEMENT</u>						
Salaries	\$ 38,530	\$ 38,799	\$ 62,008	\$ 62,008	\$ 63,130	1.81%
Expenses	\$ 177,172	\$ 176,902	\$ 202,096	\$ 202,096	\$ 261,748	29.52%
Expenses- Patton Homestead	\$ 35,000					
<b>Total</b>	<b>\$ 250,702</b>	<b>\$ 215,701</b>	<b>\$ 264,104</b>	<b>\$ 264,104</b>	<b>\$ 324,878</b>	<b>23.01%</b>
<u>TOWN CLERK</u>						
Salaries	\$ 93,846	\$ 96,104	\$ 99,251	\$ 89,052	\$ 91,221	-8.09%
Expenses	\$ 13,556	\$ 15,302	\$ 21,380	\$ 31,580	\$ 21,450	0.33%
<b>Total</b>	<b>\$ 107,402</b>	<b>\$ 111,406</b>	<b>\$ 120,631</b>	<b>\$ 120,632</b>	<b>\$ 112,671</b>	<b>-6.60%</b>
<u>ELECTIONS &amp; REGISTRATION</u>						
Salaries	\$ 17,728	\$ 8,112	\$ 20,908	\$ 20,908	\$ 20,880	-0.13%
Expenses	\$ 20,694	\$ 12,928	\$ 23,105	\$ 23,105	\$ 23,450	1.49%
<b>Total</b>	<b>\$ 38,422</b>	<b>\$ 21,040</b>	<b>\$ 44,013</b>	<b>\$ 44,013</b>	<b>\$ 44,330</b>	<b>0.72%</b>

# APPENDIX B

## GENERAL TOWN DEPARTMENTAL APPROPRIATION

	FY2013 Actual	FY2014 Actual	FY2015 Budget-STM	FY2015 Forecast	FY2016 Proposed	Variance Budget to Proposed
<b><u>PLANNING and DEVELOPMENT</u></b>						
Salaries	\$ 25,369	\$ 29,317	\$ 82,264	\$ 79,792	\$ 104,092	26.53%
Expenses	\$ 782	\$ 36	\$ 2,200	\$ 2,200	\$ 2,500	13.64%
<b>Total</b>	<b>\$ 26,151</b>	<b>\$ 29,353</b>	<b>\$ 84,464</b>	<b>\$ 81,992</b>	<b>\$ 106,592</b>	<b>26.20%</b>
<b><u>CONSERVATION COMMISSION</u></b>						
Salaries	\$ 26,523	\$ 27,054	\$ 27,595	\$ 27,595	\$ 28,147	2.00%
Expenses	\$ 1,339	\$ 834	\$ 2,205	\$ 2,205	\$ 2,205	0.00%
<b>Total</b>	<b>\$ 27,862</b>	<b>\$ 27,888</b>	<b>\$ 29,800</b>	<b>\$ 29,800</b>	<b>\$ 30,352</b>	<b>1.85%</b>
<b><u>CHEBACCO WOODS</u></b>						
Expenses	\$ 1,479	\$ 1,591	\$ 1,600	\$ 2,000	\$ 2,500	56.25%
<b>Total</b>	<b>\$ 1,479</b>	<b>\$ 1,591</b>	<b>\$ 1,600</b>	<b>\$ 2,000</b>	<b>\$ 2,500</b>	<b>56.25%</b>
<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$ 1,484,647</b>	<b>\$ 1,430,438</b>	<b>\$ 1,855,328</b>	<b>\$ 1,711,333</b>	<b>\$ 1,891,969</b>	<b>1.97%</b>
<b><u>PROTECTION OF PERSONS &amp; PROPERTY</u></b>						
<b><u>POLICE</u></b>						
Salaries	\$ 1,196,007	\$ 1,258,733	\$ 1,346,506	\$ 1,346,506	\$ 1,372,237	1.91%
Expenses	\$ 106,452	\$ 89,813	\$ 99,974	\$ 112,941	\$ 112,211	12.24%
<b>Total</b>	<b>\$ 1,302,459</b>	<b>\$ 1,348,546</b>	<b>\$ 1,446,480</b>	<b>\$ 1,459,447</b>	<b>\$ 1,484,448</b>	<b>2.62%</b>
<b><u>EMERGENCY MANAGEMENT</u></b>						
Expenses	\$ 246		\$ 1,300	\$ 1,300	\$ 1,300	0.00%
<b><u>ANIMAL CONTROL</u></b>						
Salaries	\$ 7,200	\$ 7,200	\$ 7,200	\$ 7,200	\$ 26,400	266.67%
Expenses	\$ 502		\$ 2,500	\$ 2,500	\$ 4,230	69.20%
<b>Total</b>	<b>\$ 7,702</b>	<b>\$ 7,200</b>	<b>\$ 9,700</b>	<b>\$ 9,700</b>	<b>\$ 30,630</b>	<b>215.77%</b>
<b><u>FIRE</u></b>						
Salaries	\$ 466,368	\$ 516,078	\$ 580,646	\$ 580,646	\$ 563,427	-2.97%
Expenses	\$ 55,202	\$ 89,477	\$ 90,115	\$ 90,115	\$ 73,397	-18.55%
<b>Total</b>	<b>\$ 521,570</b>	<b>\$ 605,555</b>	<b>\$ 670,761</b>	<b>\$ 670,761</b>	<b>\$ 636,824</b>	<b>-5.06%</b>
<b><u>INSPECTIONAL SERVICES</u></b>						
Salaries	\$ 104,117	\$ 103,679	\$ 112,283	\$ 107,454	\$ 107,949	-3.86%
Expenses	\$ 2,413	\$ 2,049	\$ 8,650	\$ 8,650	\$ 8,650	0.00%
<b>Total</b>	<b>\$ 106,530</b>	<b>\$ 105,728</b>	<b>\$ 120,933</b>	<b>\$ 116,104</b>	<b>\$ 116,599</b>	<b>-3.58%</b>
<b><u>EMERGENCY CENTER OPERATIONS</u></b>						
Salaries	\$ 161,856	\$ 239,067	\$ 244,459	\$ 244,459	\$ 258,261	5.65%
Expenses	\$ 23,023	\$ 29,594	\$ 42,300	\$ 42,300	\$ 42,300	0.00%
<b>Total</b>	<b>\$ 184,879</b>	<b>\$ 268,661</b>	<b>\$ 286,759</b>	<b>\$ 286,759</b>	<b>\$ 300,561</b>	<b>4.81%</b>
<b><u>STREET LIGHTING</u></b>						
Expenses	\$ 52,841	\$ 53,888	\$ 56,000	\$ 56,000	\$ 56,000	0.00%
<b>TOTAL PROTECTION OF PERSONS</b>	<b>\$ 2,176,227</b>	<b>\$ 2,389,578</b>	<b>\$ 2,591,933</b>	<b>\$ 2,600,071</b>	<b>\$ 2,626,362</b>	<b>1.33%</b>

# APPENDIX B

## GENERAL TOWN DEPARTMENTAL APPROPRIATION

	FY2013 Actual	FY2014 Actual	FY2015 Budget-STM	FY2015 Forecast	FY2016 Proposed	Variance Budget to Proposed
<u>SCHOOLS</u>						
<u>HW REGIONAL SCHOOL DISTRICT</u>	\$ 15,139,497	\$ 14,705,197	\$ 16,302,008	\$ 16,302,008	\$ 16,417,016	0.71%
<u>ESSEX NS AGRICULTURAL &amp; TECHNICAL SD</u>	\$ 143,126	\$ 89,064	\$ 165,935	\$ 165,935	\$ 196,138	18.20%
<b>TOTAL SCHOOLS</b>	<b>\$ 15,282,623</b>	<b>\$ 14,794,261</b>	<b>\$ 16,467,943</b>	<b>\$ 16,467,943</b>	<b>\$ 16,613,154</b>	<b>0.88%</b>
<u>DEPARTMENT OF PUBLIC WORKS</u>						
<u>HIGHWAY/DPW</u>						
Salaries	\$ 414,807	\$ 387,042	\$ 445,519	\$ 433,862	\$ 393,308	-11.72%
Expenses Highway	\$ 87,342	\$ 135,525	\$ 240,399	\$ 193,399	\$ 216,906	-9.77%
Expenses DPW	\$ 91,221	\$ 80,620	\$ 92,147	\$ 92,147	\$ 52,933	-42.56%
<b>Total</b>	<b>\$ 593,370</b>	<b>\$ 603,187</b>	<b>\$ 778,065</b>	<b>\$ 719,408</b>	<b>\$ 663,147</b>	<b>-14.77%</b>
<u>VEHICLE MAINTENANCE</u>						
Salaries					\$ 66,187	
Expenses					\$ 35,042	
<b>Total</b>					<b>\$ 101,229</b>	
<u>SNOW REMOVAL</u>						
Salaries	\$ 79,710	\$ 89,701	\$ 75,745	\$ 110,745	\$ 81,620	7.76%
Expenses	\$ 149,110	\$ 210,995	\$ 136,835	\$ 176,835	\$ 172,538	26.09%
<b>Total</b>	<b>\$ 228,820</b>	<b>\$ 300,696</b>	<b>\$ 212,580</b>	<b>\$ 287,580</b>	<b>\$ 254,158</b>	<b>19.56%</b>
<u>PARK, FIELDS AND GROUNDS</u>						
Salaries	\$ 72,030	\$ 37,094	\$ 60,894	\$ 60,894	\$ 76,695	25.95%
Expenses	\$ 9,008	\$ 104,021	\$ 22,852	\$ 22,852	\$ 25,752	12.69%
<b>Total</b>	<b>\$ 81,038</b>	<b>\$ 141,115</b>	<b>\$ 83,746</b>	<b>\$ 83,245</b>	<b>\$ 83,245</b>	<b>-0.60%</b>
<b>TOTAL DEPARTMENT OF PUBLIC WORKS</b>	<b>\$ 903,228</b>	<b>\$ 1,044,998</b>	<b>\$ 1,074,391</b>	<b>\$ 1,090,233</b>	<b>\$ 1,101,779</b>	<b>2.55%</b>
<u>HEALTH &amp; HUMAN SERVICES</u>						
<u>WASTE, RECYCLING AND LANDFILL</u>						
Expenses-	\$ 17,532	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	0.00%
Other Financing Use-Waste Reduction Enterprise	\$ 334,270	\$ 334,270	\$ 294,270	\$ 294,270	\$ 321,270	9.18%
<b>Total</b>	<b>\$ 351,802</b>	<b>\$ 354,270</b>	<b>\$ 314,270</b>	<b>\$ 314,270</b>	<b>\$ 341,270</b>	<b>8.59%</b>
<u>CEMETERY</u>						
Salaries	\$ 69,502	\$ 80,078	\$ 72,785	\$ 72,785	\$ 74,551	2.43%
Expenses	\$ 7,772	\$ 8,418	\$ 9,600	\$ 9,600	\$ 9,800	2.08%
<b>Total</b>	<b>\$ 77,274</b>	<b>\$ 88,496</b>	<b>\$ 82,385</b>	<b>\$ 82,385</b>	<b>\$ 84,351</b>	<b>2.39%</b>
<u>BOARD OF HEALTH</u>						
Salaries	\$ 96,232	\$ 97,994	\$ 114,124	\$ 110,124	\$ 108,798	-4.67%
Expenses	\$ 1,592	\$ 1,270	\$ 3,400	\$ 3,400	\$ 3,400	0.00%
<b>Total</b>	<b>\$ 97,824</b>	<b>\$ 99,264</b>	<b>\$ 117,524</b>	<b>\$ 113,524</b>	<b>\$ 112,198</b>	<b>-4.53%</b>
<u>COUNCIL ON AGING</u>						
Salaries	\$ 6,872	\$ 54,101	\$ 59,943	\$ 59,943	\$ 62,976	5.06%
Expenses	\$ 14,984	\$ 21,674	\$ 26,605	\$ 26,605	\$ 26,534	-0.27%
<b>Total</b>	<b>\$ 21,856</b>	<b>\$ 75,775</b>	<b>\$ 86,548</b>	<b>\$ 86,548</b>	<b>\$ 89,510</b>	<b>3.42%</b>

# APPENDIX B

## GENERAL TOWN DEPARTMENTAL APPROPRIATION

	FY2013 Actual	FY2014 Actual	FY2015 Budget-STM	FY2015 Forecast	FY2016 Proposed	Variance Budget to Proposed
<b><u>VETERAN BENEFITS</u></b>						
Expenses	\$ 14,940	\$ 20,335	\$ 20,400	\$ 13,274	\$ 20,400	0.00%
Regional District Assessment	\$ 28,663	\$ 28,187	\$ 28,663	\$ 27,519	\$ 28,663	0.00%
<b>Total</b>	<b>\$ 43,603</b>	<b>\$ 48,522</b>	<b>\$ 49,063</b>	<b>\$ 40,793</b>	<b>\$ 49,063</b>	<b>0.00%</b>
<b>TOTAL HEALTH &amp; HUMAN SERVICES</b>	<b>\$ 592,359</b>	<b>\$ 666,327</b>	<b>\$ 649,790</b>	<b>\$ 637,520</b>	<b>\$ 676,392</b>	<b>4.09%</b>
<b><u>JOINT PROGRAMS</u></b>						
<b><u>LIBRARY</u></b>						
Joint Expenses	565,310	578,112	617,367	617,367	679,055	9.99%
Joint Admin Fees	12,515	16,657	19,293	19,293	21,072	9.22%
<b>TOTAL LIBRARY</b>	<b>\$ 577,825</b>	<b>\$ 594,769</b>	<b>\$ 636,660</b>	<b>\$ 636,660</b>	<b>\$ 700,127</b>	<b>9.97%</b>
<b><u>ELDER VAN PROGRAM</u></b>						
Joint Elder Van Admin Fees	\$ 1,485					
Joint Elder Van Expense	\$ 31,497					
<b>TOTAL ELDER VAN</b>	<b>\$ 32,982</b>					
<b><u>RECREATION</u></b>						
Salaries	\$ 70,948	\$ 70,434	\$ 80,894	\$ 82,894	\$ 84,492	4.45%
Expenses	\$ 25,207	\$ 25,235	\$ 24,755	\$ 24,755	\$ 22,115	-10.66%
<b>TOTAL RECREATION</b>	<b>\$ 96,155</b>	<b>\$ 95,669</b>	<b>\$ 105,649</b>	<b>\$ 107,649</b>	<b>\$ 106,607</b>	<b>0.91%</b>
<b><u>UNCLASSIFIED</u></b>						
<b><u>MEMORIAL DAY CELEBRATIONS</u></b>						
Expenses	\$ 1,871	\$ 2,196	\$ 2,000	\$ 2,000	\$ 2,000	0.00%
<b><u>ESSEX COUNTY RETIREMENT</u></b>						
General Pensions	\$ 614,465	\$ 671,950	\$ 718,039	\$ 718,039	\$ 735,886	2.49%
<b><u>EMPLOYEE GROUP INSURANCE</u></b>						
Expenses	\$ 683,241	\$ 704,493	\$ 770,960	\$ 770,960	\$ 777,888	0.90%
<b><u>MEDICARE/UNEMPLOYMENT</u></b>						
Expenses	\$ 58,983	\$ 48,916	\$ 71,000	\$ 71,000	\$ 71,000	0.00%
<b><u>GENERAL INSURANCE</u></b>						
Expenses	\$ 186,220	\$ 175,466	\$ 205,000	\$ 190,667	\$ 205,000	0.00%
<b>TOTAL UNCLASSIFIED</b>	<b>\$ 1,544,780</b>	<b>\$ 1,603,021</b>	<b>\$ 1,766,999</b>	<b>\$ 1,752,666</b>	<b>\$ 1,791,774</b>	<b>1.40%</b>

# APPENDIX B

## GENERAL TOWN DEPARTMENTAL APPROPRIATION

	FY2013 Actual	FY2014 Actual	FY2015 Budget-STM	FY2015 Forecast	FY2016 Proposed	Variance Budget to Proposed
<b>DEBT - PRINCIPAL &amp; INTEREST</b>						
<b>INTEREST</b>						
Interest - Joint Library	\$ 22,725	\$ 20,225	\$ 17,725	\$ 17,725	\$ 15,325	-13.54%
Interest - Water Filtration	\$ 34,375	\$ 30,475	\$ 24,825	\$ 24,825	\$ 22,975	-7.45%
Interest - Police Fire Station	\$ 161,158	\$ 147,858	\$ 134,558	\$ 134,558	\$ 121,257	-9.88%
Interest-ESCO Projects <i>within the Levy</i>	\$ 5,700	\$ 5,100	\$ 5,100	\$ 5,100	\$ 3,950	-22.55%
Interest-Fire Ladder & Pumper Truck- <i>Estimated</i>					\$ 36,480	
Interest-Landfill <i>Estimated</i>					\$ 36,480	
Interest- Temporary Borrowing <i>within the Levy</i>	\$ 17,974	\$ 1,270	\$ 20,000	\$ 20,000	\$ 19,950	-0.25%
<b>Total</b>	<b>\$ 241,932</b>	<b>\$ 204,928</b>	<b>\$ 202,208</b>	<b>\$ 202,208</b>	<b>\$ 256,417</b>	<b>26.81%</b>
<b>PRINCIPAL</b>						
Principal - Joint Library	\$ 125,000	\$ 125,000	\$ 120,000	\$ 120,000	\$ 120,000	0.00%
Principal - Water Filtration	\$ 195,000	\$ 190,000	\$ 185,000	\$ 185,000	\$ 180,000	-2.70%
Principal - Police Fire Station	\$ 325,000	\$ 325,000	\$ 325,000	\$ 325,000	\$ 325,000	0.00%
Principal-ESCO Projects <i>within the Levy</i>	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	0.00%
Prinipal- Fire Ladder & Pumper Truck- <i>Estimated</i>					\$ 82,000	
Prinipal- Landfill- <i>Estimated</i>					\$ 82,000	
<b>Total</b>	<b>\$ 675,000</b>	<b>\$ 670,000</b>	<b>\$ 660,000</b>	<b>\$ 660,000</b>	<b>\$ 819,000</b>	<b>24.09%</b>
<b>SCHOOL DEBT</b>						
Principal & Interest - 1988 School Add/Repr						
Principal & Interest - 1997 Middle School	\$ 471,356	\$ 476,674	\$ 479,893	\$ 479,893	\$ 470,145	-2.03%
Principal & Interest - 2002 Boiler			\$ 85,983	\$ 85,983	\$ 84,424	-1.81%
Principal & Interest - 2013 Buker/Winthrop/Cutler(BAN)					\$ 20,388	
Principal & Interest - ENSATSD		\$ 5,115	\$ 37,391	\$ 37,391	\$ 30,536	-18.33%
<b>Total</b>	<b>\$ 471,356</b>	<b>\$ 481,789</b>	<b>\$ 603,267</b>	<b>\$ 603,267</b>	<b>\$ 605,493</b>	<b>0.37%</b>
<b>TOTAL DEBT - PRINCIPAL &amp; INTEREST</b>	<b>\$ 1,388,288</b>	<b>\$ 1,356,717</b>	<b>\$ 1,465,475</b>	<b>\$ 1,465,475</b>	<b>\$ 1,680,910</b>	<b>14.70%</b>
<b>TOTAL GENERAL FUND</b>	<b>\$ 24,079,114</b>	<b>\$ 23,975,778</b>	<b>\$ 26,614,168</b>	<b>\$ 26,469,550</b>	<b>\$ 27,189,074</b>	<b>2.16%</b>

## SUMMARY

TOTAL GENERAL GOVERNMENT	\$ 1,484,647	\$ 1,430,438	\$ 1,855,328	\$ 1,711,333	\$ 1,891,969	1.97%
TOTAL PROTECTION OF PERSONS	\$ 2,176,227	\$ 2,389,578	\$ 2,591,933	\$ 2,600,071	\$ 2,626,362	1.33%
TOTAL DEPARTMENT OF PUBLIC WORKS	\$ 903,228	\$ 1,044,998	\$ 1,074,391	\$ 1,090,233	\$ 1,101,779	2.55%
TOTAL HEALTH & HUMAN SERVICES	\$ 592,359	\$ 666,327	\$ 649,790	\$ 637,520	\$ 676,392	4.09%
TOTAL LIBRARY	\$ 577,825	\$ 594,769	\$ 636,660	\$ 636,660	\$ 700,127	9.97%
TOTAL ELDER VAN	\$ 32,982	\$ -	\$ -	\$ -	\$ -	
TOTAL RECREATION	\$ 96,155	\$ 95,669	\$ 105,649	\$ 107,649	\$ 106,607	0.91%
TOTAL UNCLASSIFIED	\$ 1,544,780	\$ 1,603,021	\$ 1,766,999	\$ 1,752,666	\$ 1,791,774	1.40%
<b>TOTAL TOWN SERVICES</b>	<b>\$ 7,408,203</b>	<b>\$ 7,824,800</b>	<b>\$ 8,680,750</b>	<b>\$ 8,536,132</b>	<b>\$ 8,895,010</b>	<b>2.47%</b>
<b>TOTAL DEBT - PRINCIPAL &amp; INTEREST</b>	<b>\$ 1,388,288</b>	<b>\$ 1,356,717</b>	<b>\$ 1,465,475</b>	<b>\$ 1,465,475</b>	<b>\$ 1,680,910</b>	<b>14.70%</b>
<b>HW REGIONAL SCHOOL DISTRICT</b>	<b>\$ 15,139,497</b>	<b>\$ 14,705,197</b>	<b>\$ 16,302,008</b>	<b>\$ 16,302,008</b>	<b>\$ 16,417,016</b>	<b>0.71%</b>
<b>ESSEX NS AGRICULTURAL &amp; TECHNICAL SD</b>	<b>\$ 143,126</b>	<b>\$ 89,064</b>	<b>\$ 165,935</b>	<b>\$ 165,935</b>	<b>\$ 196,138</b>	<b>18.20%</b>
<b>TOTAL GENERAL TOWN APPROPRIATIONS</b>	<b>\$ 24,079,114</b>	<b>\$ 23,975,778</b>	<b>\$ 26,614,168</b>	<b>\$ 26,469,550</b>	<b>\$ 27,189,074</b>	<b>2.16%</b>

**APPENDIX C**  
**Hamilton Wenham Regional School District FY16 Budget**  
**Revenue/Assessment Summary**

Total Expenses					
	FY14 ACT	FY14 BUD	FY15 BUD	FY16 BUD	Difference
General Operating Expense (Before Offsets)	\$ 27,311,370	\$ 28,293,786	\$ 28,420,061	\$ 29,343,112	\$ 923,050 3.2%
Expense Offsets	\$ 1,264,538	\$ 1,171,200	\$ 987,200	\$ 1,013,510	\$ 26,310 2.7%
General Operating Expenses (After Offsets)	\$ 26,046,832	\$ 27,122,586	\$ 27,432,861	\$ 28,329,602	\$ 896,740 3.3%
Debt Service Expense	\$ 1,841,735	\$ 1,841,735	\$ 1,970,392	\$ 1,993,488	\$ 23,096 1.2%
<b>TOTAL EXPENDITURES</b>	<b>\$ 27,888,567</b>	<b>\$ 28,964,321</b>	<b>\$ 29,403,253</b>	<b>\$ 30,323,089</b>	<b>\$ 919,836 3.1%</b>

Total Funding Sources					
	FY 14 ACT	FY 14 BUD	FY15 BUD	FY16 BUD	Difference
<b>Revenues</b>					
Chapter 70-Base Aid	\$ 3,370,416	\$ 3,370,416	\$ 3,413,341	\$ 3,413,341	\$ - 0.0%
MSBA Debt Service Reimbursement	\$ 1,132,065	\$ 1,132,065	\$ 1,132,065	\$ 1,132,065	\$ - 0.0%
State Transportation Reimbursement	\$ 318,440	\$ 251,000	\$ 290,000	\$ 290,000	\$ - 0.0%
Medicaid Reimbursement	\$ 118,945	\$ 85,000	\$ 85,000	\$ 85,000	\$ - 0.0%
Interest Income	\$ 3,438	\$ 4,000	\$ 4,000	\$ 4,000	\$ - 0.0%
Prior Year Unexpended Encumbrances	\$ 25,395	\$ -	\$ -	\$ -	\$ - #DIV/0!
Other Non-recurring Income	\$ 73,928	\$ -	\$ -	\$ -	\$ - #DIV/0!
Total Revenues	\$ 5,042,627	\$ 4,842,481	\$ 4,924,406	\$ 4,924,406	\$ - 0.0%
<b>Transfers In From Other Funds</b>					
Excess and Deficiency	\$ 2,115,920	\$ 2,115,920	\$ -	\$ 395,781	\$ 395,781 #DIV/0!
Total Transfers	\$ 2,115,920	\$ 2,115,920	\$ -	\$ 395,781	\$ 395,781 #DIV/0!
<b>Total Funding Sources</b>	<b>\$ 7,158,547</b>	<b>\$ 6,958,401</b>	<b>\$ 4,924,406</b>	<b>\$ 5,320,187</b>	<b>\$ 395,781 8.0%</b>
<b>Total Expenditures</b>					
Less Total Funding Sources	\$ 27,888,567	\$ 28,964,321	\$ 29,403,253	\$ 30,323,089	\$ 919,836 3.1%
<b>NET ASSESSMENT Including Debt Service</b>	<b>\$ 20,730,020</b>	<b>\$ 22,005,920</b>	<b>\$ 24,478,847</b>	<b>\$ 25,002,902</b>	<b>\$ 524,055 2.1%</b>

Total Town Assessments			
	FY 14 ACT	FY 14 BUD	FY16 BUD
Hamilton	\$ 15,181,864	\$ 15,181,864	\$ 16,991,972
Wenham	\$ 6,824,056	\$ 6,824,056	\$ 8,010,930
<b>NET ASSESSMENT Including Debt Service</b>	<b>\$ 22,005,920</b>	<b>\$ 22,005,920</b>	<b>\$ 25,002,902</b>

3/9/2015

FY16BudgetMASTER\_021215



**APPENDIX C**  
**HAMILTON WENHAM REGIONAL SCHOOL DISTRICT**  
**3 Year Summary of Assessments to the Towns**

	<u>FY14 BUD (1)</u>	<u>FY15 BUD</u>	<u>FY16 BUD (2)</u>
Operations *			
Hamilton	\$14,705,190	\$16,302,008	\$16,417,016
Wenham	<u>\$6,591,061</u>	<u>\$7,338,512</u>	<u>\$7,724,443</u>
SubTotal	\$21,296,251	\$23,640,520	\$24,141,459
Debt			
Hamilton	\$476,674	\$565,876	\$574,956
Wenham	<u>\$232,995</u>	<u>\$272,451</u>	<u>\$286,487</u>
SubTotal	\$709,669	\$838,327	\$861,443
Total			
Hamilton	\$15,181,864	\$16,867,884	\$16,991,972
Wenham	<u>\$6,824,056</u>	<u>\$7,610,963</u>	<u>\$8,010,930</u>
Total	\$22,005,920	\$24,478,847	\$25,002,902
* Includes Debt Offsets			
Hamilton	\$12,906	\$11,799	\$10,467
Wenham	<u>(\$12,906)</u>	<u>(\$11,799)</u>	<u>(\$10,467)</u>

(1) FY14 Assessments reduced by \$2,115,920 (return of Certified E&D) per School Committee Policy D4021 and SC vote on March 6, 2014.

(2) FY16 Assessments reduced by \$395,781 (return of Certified E&D) per School Committee Policy D4021.

# APPENDIX D

## GENERAL TOWN CAPITAL APPROPRIATION

	FY2012 Actual	FY2013 Actual	FY2014 Actual	FY2015 Budgeted	FY2016 Proposed
<u>GENERAL GOVERNMENT</u>					
<u>SELECTMEN</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	
<u>TOWN MANAGER</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	
<u>FINANCE</u>					
Capital or Lease purchase	\$ 32,816	\$ 776	\$ 18,588	\$ 70,000	\$ 143,000
<u>ASSESSORS</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>TREASURER &amp; COLLECTOR</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>FACILITY MANAGEMENT</u>					
Capital or Lease purchase	\$ 14,061	\$ 118,058		\$ -	\$ -
<u>TOWN CLERK</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>PLANNING and DEVELOPMENT</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>CONSERVATION COMMISSION</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>CHEBACCO WOODS</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$ 46,877</b>	<b>\$ 118,834</b>	<b>\$ 18,588</b>	<b>\$ 70,000</b>	<b>\$ 143,000</b>
<u>PROTECTION OF PERSONS &amp; PROPERTY</u>					
<u>POLICE</u>					
Capital or Lease purchase	\$ 39,761	\$ 85,945	\$ 36,875	\$ 49,750	\$ 36,750
<u>EMERGENCY MANAGEMENT</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>ANIMAL CONTROL</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>FIRE</u>					
Capital or Lease purchase	\$ 9,667	\$ 23,792	\$ -	\$ 138,000	\$ 28,250
<u>INSPECTIONAL SERVICES</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>EMERGENCY CENTER OPERATIONS</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<u>STREET LIGHTING</u>					
Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL PROTECTION OF PERSONS</b>	<b>\$ 49,428</b>	<b>\$ 109,737</b>	<b>\$ 36,875</b>	<b>\$ 187,750</b>	<b>\$ 65,000</b>

# APPENDIX D

## GENERAL TOWN CAPITAL APPROPRIATION

	FY2012 Actual	FY2013 Actual	FY2014 Actual	FY2015 Budgeted	FY2016 Proposed
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### DEPARTMENT OF PUBLIC WORKS

#### HIGHWAY/DPW

Capital or Lease Purchase	\$ 9,540	\$ 98,820	\$ 150,000	\$ 393,390	\$ 84,730
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#### PARK, FIELDS AND GROUNDS

Capital or Lease purchase	\$ -	\$ 16,129	\$ -	\$ -	\$ 60,965
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<b>TOTAL DEPARTMENT OF PUBLIC WORKS</b>	<b>\$ 9,540</b>	<b>\$ 114,949</b>	<b>\$ 150,000</b>	<b>\$ 393,390</b>	<b>\$ 145,695</b>
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### HEALTH & HUMAN SERVICES

#### WASTE, RECYCLING AND LANDFILL

Capital or Lease purchase	\$ -	\$ 16,129	\$ -	\$ -	\$ -
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#### CEMETERY

Capital or Lease purchase	\$ 10,931	\$ 10,931	\$ -	\$ -	\$ -
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#### BOARD OF HEALTH

Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
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#### COUNCIL ON AGING

Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
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<b>TOTAL HEALTH &amp; HUMAN SERVICES</b>	<b>\$ 10,931</b>	<b>\$ 27,060</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
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### JOINT PROGRAMS

#### LIBRARY

Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
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#### RECREATION

Capital or Lease purchase	\$ -	\$ -	\$ -	\$ -	\$ -
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<b>TOTAL CAPITAL FOR GENERAL FUND</b>	<b>\$ 116,776</b>	<b>\$ 370,580</b>	<b>\$ 205,463</b>	<b>\$ 651,140</b>	<b>\$ 353,695</b>
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### SUMMARY

TOTAL GENERAL GOVERNMENT	\$ 46,877	\$ 118,834	\$ 18,588	\$ 70,000	\$ 143,000
TOTAL PROTECTION OF PERSONS	\$ 49,428	\$ 109,737	\$ 36,875	\$ 187,750	\$ 65,000
TOTAL DEPARTMENT OF PUBLIC WORKS	\$ 9,540	\$ 114,949	\$ 150,000	\$ 393,390	\$ 145,695
TOTAL HEALTH & HUMAN SERVICES	\$ 10,931	\$ 27,060	\$ -	\$ -	\$ -
TOTAL LIBRARY	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL RECREATION	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL GENERAL TOWN APPROPRIATIONS</b>	<b>\$ 116,776</b>	<b>\$ 370,580</b>	<b>\$ 205,463</b>	<b>\$ 651,140</b>	<b>\$ 353,695</b>

## APPENDIX D

### Town Capital Improvement for Fiscal 2016

Department	Year	Model	Original Purchase Price	Replacement Cost	Trade in Value	Mileage /hours	Maint. Cost TD	Future Repairs Costs	Planned Usage	Notes
General		Record Retention		\$ 69,000					Digital Imaging of Town Records	Improve the communications, retention and reduce paper storage. 3 year
General		Computers		\$ 74,000					Desktops, Monitors , software upgrade	The average desktop is 7 years old
Fire				\$ 28,250					Thermal Camera, Hose and Gear	Ongoing replacement program
Police	2010	Ford Crown Victoria	\$ 28,273	\$ 36,750	\$ 800	111,873	\$ 8,769		Line Operation car	Rotation replacement with Ford Explorer
Highway	2008	GMC k2500 Pick-up	\$ 27,515	\$ 42,365	\$ 6,000	30,393	\$ 1,550	significant	Front line road maintenance/plow truck	
Highway	2008	FORD F-250	\$ 34,741	\$ 42,365	\$ 6,000	95,000	\$ 3,200	significant	Front line road maintenance/plow truck	
Park & Fields	2008	GMC Sierra Pick up & Plow	\$ 27,515	\$ 42,365	\$ 6,000	49,173	\$ 2,700	significant	Front line road maintenance/plow truck	
Park & Fields		Mowers	\$ 10,000	\$ 18,600		1,400 & 1,100 hrs	\$ 4,522		2 mowers	Support the joint mowing for school fields

**Subtotal Town** **\$ 353,695**

# **APPENDIX E**

WATER ENTERPRISE	2012			2013			2014			2015		2016	
	Fiscal Year Actuals									Budget	Forecast	Budget	Variance
<b>REVENUES</b>													
PENALTY & INTEREST WATER	\$ 2,973.70	\$ 3,008.49	\$ 2,853.65							\$ 2,929.00	\$ 2,929.00	\$ 2,945.00	1%
INCOME (USAGE CHARGES)	\$ 960,035.61	\$ 945,055.42	\$ 981,475.64							\$ 979,000.00	\$ 1,132,145.00	\$ 1,146,381	17%
INCOME (SERVICE CHARGES)												\$ 613,138.00	
WATER LIEN REVENUE	\$ 35,413.37	\$ 29,720.47	\$ 26,917.45							\$ 21,827.00	\$ 21,827.00	\$ 30,636.00	40%
EARNINGS ON INVESTMENTS	\$ 25.00	\$ 186.44	\$ 1,346.89							\$ -	\$ -		
BOND/BAN PREMIUM	\$ -	\$ 14,992.64	\$ -							\$ -	\$ -		
MISCELLANEOUS INCOME	\$ 11,335.44	\$ 7,624.84	\$ 19,194.72							\$ 6,479.00	\$ 6,479.00	\$ 12,000.00	85%
<b>TOTAL REVENUE</b>	<b>\$ 1,009,783.12</b>	<b>\$ 1,000,588.30</b>	<b>\$ 1,031,788.35</b>							<b>\$ 1,010,235.00</b>	<b>\$ 1,163,380.00</b>	<b>\$ 1,805,100.30</b>	79%

## **EXPENDITURES**

<b>Personnel</b>													
TEMPORARY WAGES	\$ -	\$ -	\$ 1,500.00							\$ -	\$ -	\$ 1,756.00	0%
SEASONAL WAGES	\$ 5,520.00	\$ -	\$ -							\$ 1,755.60	\$ 1,755.60	\$ 228,775.00	5%
PERMANENT WAGES	\$ 200,725.88	\$ 211,796.75	\$ 179,252.51							\$ 217,739.06	\$ 217,739.06	\$ 55,162.00	9%
OVERTIME WAGES	\$ 49,914.50	\$ 46,455.49	\$ 43,201.41							\$ 50,811.60	\$ 50,811.60	\$ 900.00	-67%
LONGEVITY/STIPEND/DIFFERENTIAL	\$ 3,600.00	\$ 3,600.00	\$ 2,700.00							\$ 2,700.00	\$ 2,700.00	\$ 4,004.00	0%
MEDICARE	\$ 3,797.19	\$ 3,782.23	\$ 3,320.26							\$ 4,003.74	\$ 4,003.74	\$ 2,220.00	0%
MEAL/UNIFORM/CLEAN ALLOWANCE	\$ 2,874.96	\$ 2,387.46	\$ 2,329.23							\$ 2,225.00	\$ 2,225.00	\$ 292,817.00	5%
<b>Total Personnel</b>	<b>\$ 266,432.53</b>	<b>\$ 268,021.93</b>	<b>\$ 232,303.41</b>							<b>\$ 279,235.00</b>	<b>\$ 279,235.00</b>		
<b>Expenses</b>													
UTILITIES/FUEL CHARGES	\$ 86,321.40	\$ 74,514.62	\$ 81,981.96							\$ 93,000.00	\$ 93,000.00	\$ 93,000.00	0%
REPAIR & MTC VEHICLES	\$ 436.33	\$ -	\$ -							\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	0%
REPAIR & MTC PLANT	\$ 22,287.94	\$ 28,508.34	\$ 86,680.90							\$ 68,815.00	\$ 68,815.00	\$ 69,000.00	0%
REPAIR & MTC DISTRIBUTION SYST	\$ 16,681.42	\$ 22,969.42	\$ 19,304.91							\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	0%
RENTAL/LEASE UNIFORMS	\$ 1,440.67	\$ 1,707.60	\$ 1,198.53							\$ 1,100.00	\$ 1,100.00	\$ 1,100.00	0%
PROFESSIONAL EMPLOY TRAINING	\$ 1,510.00	\$ 1,280.00	\$ 490.00							\$ 1,700.00	\$ 1,700.00	\$ 2,000.00	18%
LITIGATION SERVICES	\$ 22,122.34	\$ 3,130.19	\$ 2,624.66							\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	0%
BILL COLLECT & DATA SERVICES	\$ 8,336.65	\$ 8,501.25	\$ 8,444.20							\$ 9,000.00	\$ 9,000.00	\$ 9,000.00	0%
CONSULTATIVE SERVICES	\$ 4,125.60	\$ 4,331.50	\$ 1,872.36							\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	0%
INSPECTIONAL SERVICES	\$ 18,092.00	\$ 16,411.87	\$ 15,660.25							\$ 26,016.00	\$ 26,016.00	\$ 26,016.00	0%
VOICE DATA & VIDEO SERVICES	\$ 10,058.75	\$ 9,766.02	\$ 10,125.82							\$ 11,000.00	\$ 11,000.00	\$ 11,000.00	0%
ADVERTISING & PRINTING SERVICE	\$ 1,239.07	\$ 3,363.25	\$ 1,821.63							\$ 1,500.00	\$ 1,500.00	\$ 2,000.00	33%
POSTAGE AND SHIPPING	\$ 1,679.52	\$ 1,251.60	\$ 641.31							\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	0%
PUBLIC SAFTEY DETAIL SERV	\$ 3,886.00	\$ 666.00	\$ 3,248.00							\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	0%
HVAC/ELECT/PLUMB SUPPLIES	\$ 2,994.33	\$ 5,149.39	\$ 9,014.30							\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	0%
CUSTODIAL SUPPLIES	\$ 499.77	\$ 165.68	\$ 371.52							\$ 500.00	\$ 500.00	\$ 500.00	0%

# APPENDIX E

WATER ENTERPRISE													
	2012		2013		2014		2015		2016		Variance		
	Fiscal Year Actuals		Budget		Forecast		Budget		Budget				
VEHICLE & EQUIP SUPPLIES	\$ 4,301.05	\$ 1,485.03	\$ 3,489.76	\$ 2,800.00	\$ 2,800.00	\$ 2,800.00	\$ 2,800.00	\$ 2,800.00	\$ 2,800.00	0%			
VEHICLE & EQUIP FUEL	\$ 11,447.28	\$ 12,638.17	\$ 7,961.61	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	0%			
SMALL EQUIP SUPPLIES	\$ 2,592.34	\$ 1,546.76	\$ 2,703.42	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	100%			
FOOD SUPPLIES	\$ 650.22	\$ 713.99	\$ 628.36	\$ 700.00	\$ 700.00	\$ 700.00	\$ 700.00	\$ 700.00	\$ 700.00	0%			
MEDICAL & EQUIP SUPPLIES	\$ -	\$ -	\$ 230.23	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	\$ 400.00	0%			
WATER TREATMENT SUPPLIES	\$ 42,828.35	\$ 38,505.93	\$ 47,505.28	\$ 60,189.00	\$ 60,189.00	\$ 60,189.00	\$ 60,189.00	\$ 60,189.00	\$ 60,189.00	0%			
UNIFORMS AND GEAR	\$ 59.85	\$ 209.41	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300.00	\$ 300.00	0%			
GOVERNMENTAL FEES	\$ 2,962.75	\$ 2,393.14	\$ 2,528.97	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	0%			
IN STATE TRAVEL	\$ 10.00	\$ -	\$ -	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	0%			
OUT OF STATE TRAVEL	\$ -	\$ -	\$ -	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	0%			
WATER EMERGENCY FUND	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	0%			
DUES MEMBERSHIP ETC	\$ 1,195.00	\$ 961.00	\$ 454.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 829.00	\$ 829.00	-17%			
OFU - TRANSFER TO GENERAL FUND	\$ 303,784.00	\$ 334,307.00	\$ 334,307.00	\$ 334,307.00	\$ 334,307.00	\$ 334,307.00	\$ 334,307.00	\$ 334,307.00	\$ 334,307.00	0%			
Total Expenses	\$ 571,542.63	\$ 574,477.16	\$ 643,288.98	\$ 706,427.00	\$ 706,427.00	\$ 706,427.00	\$ 706,427.00	\$ 708,541.00	\$ 708,541.00	0%			
Debt													
DEBT SERVICE INTEREST	\$ 8,588.55	\$ 5,925.00	\$ 5,025.00	\$ 3,225.00	\$ 3,225.00	\$ 3,225.00	\$ 3,225.00	\$ 203,225.00	\$ 203,225.00	6202%			
DEBT SVC PRINCIPAL	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 305,000.00	\$ 305,000.00	578%			
BORROWING DISCLOSURE	\$ -	\$ -	\$ 1,195.09	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ -	\$ -	-100%			
Total Debt	\$ 53,588.55	\$ 50,925.00	\$ 51,220.09	\$ 93,225.00	\$ 93,225.00	\$ 93,225.00	\$ 93,225.00	\$ 508,225.00	\$ 508,225.00	445%			
Capital													
ART 2012/5 2-13 VEHICLES	\$ -	\$ 135,313.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
CAPITAL PLANT	\$ 22,225.05	\$ 14,072.35	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	0%			
CAPITAL DISTRIBUTION SYSTEM	\$ 4,950.00	\$ 7,994.35	\$ 5,579.25	\$ 110,000.00	\$ 110,000.00	\$ 110,000.00	\$ 110,000.00	\$ 60,000.00	\$ 60,000.00	-45%			
CAPTIAL WATER METERS	\$ 2,595.48	\$ 8,262.63	\$ 12,575.48	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	0%			
ART 2011 10/2 - 2 DISTRIBUTION	\$ 15,554.40	\$ -	\$ -	\$ 4,450.00	\$ 4,450.00	\$ 4,450.00	\$ 4,450.00	\$ -	\$ -	-100%			
REPLACEMENT EQUIPMENT -VEHICLE	\$ -	\$ -	\$ -	\$ 101,000.00	\$ 101,000.00	\$ 101,000.00	\$ 101,000.00	\$ 42,365.00	\$ 42,365.00	-58%			
Total Capital	\$ 45,324.93	\$ 165,642.33	\$ 18,154.73	\$ 235,450.00	\$ 235,450.00	\$ 235,450.00	\$ 235,450.00	\$ 122,365.00	\$ 122,365.00	-48%			
PRIOR YEAR ENCUMBRANCE	\$ 1,275.81	\$ 6,786.53	\$ 15,935.07	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
TOTAL EXPENDITURES	\$ 938,164.45	\$ 1,065,852.95	\$ 960,902.28	\$ 1,314,337.00	\$ 1,314,337.00	\$ 1,314,337.00	\$ 1,314,337.00	\$ 1,631,948.00	\$ 1,631,948.00	24%			
FUND BALANCE UNRESERVED	\$ 195,946.20	\$ 258,099.68	\$ 203,129.75	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
FUND BALANCE RESERVED	\$ 144,445.60	\$ -	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ -	\$ -				
FUND BALANCE APPROPRIATED	\$ 4,450.00	\$ 4,450.00	\$ 4,450.00	\$ 4,450.00	\$ 4,450.00	\$ 4,450.00	\$ 4,450.00	\$ -	\$ -				
RETAINED EARNINGS	\$ 195,942.00	\$ 258,100.00	\$ 203,140.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				

**APPENDIX E**  
**Capital Improvement for Fiscal 2016**

Department	Year	Model	Original Purchase Price	Replacement Cost	Trade in Value	Mileage /hours	Maint. Cost TD	Future Repairs Costs	Usage	Notes
Water		Well	\$ -	\$ 45,000					Idle wood #2	To provide for VFD flow control of Idle wood #2 and specific well redevelopment.
Water		Hydrant & Gate Valves	\$ -	\$ 15,000					Fire Hydrants for fire suppression	Hydrant Replacement Program
Water		Meter Replacement Program	\$ -	\$ 10,000					Distributions System	Meter Replacement Program at individual
Water	2006	GMC Canyon Pick-up	\$ 11,350	\$ 42,365	\$ 3,000	91,000	\$ 2,410	significant	Front line road maintenance/ plow truck	
<b>Total</b>				<b>\$ 112,365</b>						

# **APPENDIX F**

<b>WASTE REDUCTION ENTERPRISE</b>		<b>Fiscal Year Actuals</b>				<b>2015</b>		<b>2016</b>	
	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Budget</b>	<b>Forecast</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Variance</b>
<b>REVENUES</b>									
INCOME (USAGE CHARGES)	\$ 9,368.73	\$ 8,940.00	\$ 10,244.97	\$ 5,000.00	\$ 6,642.00	\$ 9,517.00	\$ 9,517.00	\$ 9,517.00	90%
INCOME (SERVICES)	\$ 42,150.00	\$ 67,450.00	\$ 69,500.00	\$ 80,000.00	\$ 67,750.00	\$ 68,000.00	\$ 68,000.00	\$ 68,000.00	-15%
REVENUE - STATE GRANT FUNDS	\$ -	\$ 58,177.00	\$ 435.84	\$ -	\$ -	\$ -	\$ -	\$ -	
MUNICIPAL RECEIPTS-INTERGOV	\$ -	\$ 57,546.16	\$ 27,731.89	\$ -	\$ -	\$ -	\$ -	\$ -	
EARNINGS ON INVESTMENTS	\$ -	\$ 2.21	\$ 201.92	\$ 146.36	\$ 146.36	\$ 150.00	\$ 150.00	\$ 150.00	2%
BEQUEST/CONTRIBUTION REVENUE	\$ -	\$ 2,397.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
OFS TRANSFER FROM GENERAL FUND	\$ 364,270.00	\$ 334,270.00	\$ 334,270.00	\$ 294,270.00	\$ 304,080.00	\$ 321,270.00	\$ 321,270.00	\$ 321,270.00	9%
OFS TRANSFER FROM SPECIAL REVENUE	\$ 21,743.75	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>TOTAL REVENUE</b>	<b>\$ 437,532.48</b>	<b>\$ 528,782.37</b>	<b>\$ 442,384.62</b>	<b>\$ 379,416.36</b>	<b>\$ 378,618.36</b>	<b>\$ 398,937.00</b>	<b>\$ 398,937.00</b>	<b>\$ 398,937.00</b>	<b>5%</b>
<b>EXPENDITURES</b>									
<b>Personnel</b>									
PERMANENT WAGES	\$ -	\$ 654.58	\$ 643.22	\$ 987.00	\$ 174.22	\$ 3,443.00	\$ 3,443.00	\$ 3,443.00	-100%
OVERTIME WAGES	\$ -	\$ 764.41	\$ 2,467.99	\$ 1,859.00	\$ 2,937.90	\$ 130.00	\$ 130.00	\$ 130.00	85%
MEAL/UNIFORM/CLEAN ALLOWANCE	\$ -	\$ -	\$ 70.00	\$ 130.00	\$ 140.00	\$ -	\$ -	\$ -	0%
<b>Total Personnel</b>	<b>\$ -</b>	<b>\$ 1,418.99</b>	<b>\$ 3,181.21</b>	<b>\$ 2,976.00</b>	<b>\$ 3,252.12</b>	<b>\$ 3,573.00</b>	<b>\$ 3,573.00</b>	<b>\$ 3,573.00</b>	<b>20%</b>
<b>Expenses</b>									
FUEL CHARGES	\$ -	\$ 408.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
CONTRACT SERVICES	\$ 17,106.10	\$ 11,094.20	\$ 11,486.70	\$ 17,580.00	\$ 5,453.70	\$ 17,580.00	\$ 17,580.00	\$ 17,580.00	0%
RENTAL & LEASE EQUIPMENT	\$ 80,451.19	\$ 80,451.19	\$ 80,451.19	\$ -	\$ -	\$ -	\$ -	\$ -	
COLLECTION & HAULING SERVICE	\$ 278,324.39	\$ 258,815.96	\$ 264,969.63	\$ 263,426.60	\$ 263,426.60	\$ 278,426.60	\$ 278,426.60	\$ 278,426.60	6%
SOLID WASTE DISPOSAL SERVICE	\$ 128,038.40	\$ 84,802.61	\$ 91,643.20	\$ 88,800.00	\$ 88,800.00	\$ 81,900.00	\$ 81,900.00	\$ 81,900.00	-8%
HAZARDOUS WASTE CONTRACTS	\$ 2,241.90	\$ 3,419.90	\$ 4,634.79	\$ 3,419.00	\$ 4,178.46	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	32%
LITIGATION SERVICES	\$ 720.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
CONSULTATIVE SERVICES	\$ 175.00	\$ 14,981.00	\$ 1,668.56	\$ -	\$ -	\$ 550.00	\$ 550.00	\$ 550.00	0%
ADVERTISING & PRINTING SERVICE	\$ 6,669.01	\$ 276.08	\$ -	\$ 549.40	\$ 549.40	\$ -	\$ -	\$ -	
POSTAGE AND SHIPPING	\$ 44.35	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
SMALL EQUIP SUPPLIES	\$ -	\$ -	\$ 3,534.00	\$ -	\$ 2,568.30	\$ 525.00	\$ 525.00	\$ 525.00	0%
RECYCLING SUPPLIES	\$ 1,356.83	\$ 1,892.98	\$ 1,865.45	\$ 525.00	\$ 525.00	\$ 383,481.60	\$ 383,481.60	\$ 383,481.60	2%
<b>Total Expense</b>	<b>\$ 515,127.17</b>	<b>\$ 456,141.92</b>	<b>\$ 460,253.52</b>	<b>\$ 374,300.00</b>	<b>\$ 365,501.46</b>	<b>\$ 387,054.60</b>	<b>\$ 387,054.60</b>	<b>\$ 387,054.60</b>	<b>3%</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 515,127.17</b>	<b>\$ 457,560.91</b>	<b>\$ 463,434.73</b>	<b>\$ 377,276.00</b>	<b>\$ 368,753.58</b>	<b>\$ 387,054.60</b>	<b>\$ 387,054.60</b>	<b>\$ 387,054.60</b>	<b>3%</b>
<b>FUND BALANCE</b>	<b>\$ 17,612.75</b>	<b>\$ 11,239.53</b>	<b>\$ (9,810.00)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	



## APPENDIX G

### COMMUNITY PRESERVATION COMMITTEE BUDGET

No.	PURPOSE
	<b><u>Open Space and Recreation - Projects</u></b>
1.	To appropriate \$45,400.00 of FY16 Community Preservation Fund Revenues to fund the debt service for the Donovan Acquisition (\$42,700.00 in principal and \$2,700.00 in interest).
2.	To appropriate \$53,120.00 of Community Preservation Open Space and Recreation Reserves to fund, beginning in FY15, the final planning and development of construction documents for the Veterans Memorial Pool at Patton Park, including all costs incidental and related thereto.
3.	To appropriate \$1,328,000.00 of Community Preservation Unrestricted Reserves to fund, beginning in FY15, the construction of a swimming pool, bath house, operations building and deck area at Patton Park, including all costs incidental and related thereto.
4.	To appropriate \$2,000.00 of FY16 Community Preservation Fund Revenues to fund the preservation of Town-owned open space through the removal of Japanese knotweed.
	<b><u>Historic Preservation - Projects</u></b>
5.	To appropriate \$9,500.00 of FY16 Community Preservation Fund Revenues to fund the preservation and digitization of the Hamilton Historical Society's pictorial collection.
6.	To appropriate \$3,525.00 of FY16 Community Preservation Fund Revenues to fund the restoration of the Hamilton Senior Center sign.
7.	To appropriate \$33,550.00 of FY16 Community Preservation Fund Revenues to restore and rehabilitate the Community House, provided that the Community House raises funds, matching dollar for dollar, so that the CPA appropriation does not exceed the matching funds raised by June 30, 2016.
	<b><u>Community Housing - Reserve</u></b>
8.	To reserve \$45,033.00 of FY16 Community Preservation Fund Revenues to the Community Preservation Community Housing Reserve.
	<b><u>Administration - Expense</u></b>
9.	To appropriate \$22,516.00 of FY16 Community Preservation Fund Revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fees and salary for part-time Community Projects Coordinator position.

<u>Summary of Recommendations by Category</u>		
<b><u>FY16 Revenues</u></b>		
Open Space Projects	\$47,400.00	10.6%
Historic Preservation Projects	\$46,575.00	10.3%
Community Housing Reserve	\$45,033.00	10.0%
Administration Expense	\$22,516.00	5.0%
Not Appropriated	<u>\$288,808.00</u>	<u>64.1%</u>
<b>Total Projected FY16 Revenues</b>	<b>\$450,332.00</b>	<b>100.00 %</b>
<u>Open Space and Recreation Reserves</u>	\$53,120.00	
<u>Unrestricted Reserves</u>	\$1,328,000.00	

Anticipated FY16 CPA Revenues will be \$450,332 (including estimated state match).

FY16 CPA Revenues that are not appropriated or reserved,  
estimated at \$288,808, will at year end be added to the Fund Balance.

## APPENDIX H

### DEPARTMENTAL REVOLVING FUNDS

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	FY16 Spending Limit	Disposition of FY15 Fund Balance
<b>Recreation and Parks</b> <i>(reauthorization)</i>	Town Manager	Recreation program fees	Salaries, expenses, supplies, and contractual services to operate recreational programs	\$223,739	Balance available for expenditure
<b>Council on Aging</b> <i>(reauthorization)</i>	Town Manager	Receipts and fees from COA programs, activities and trips	Salaries, expenses, supplies, and contractual services to operate COA programs, activities and trips	\$20,000	Balance available for expenditure
<b>Emergency Dispensing Services and Clinics</b> <i>(reauthorization)</i>	Town Manager	Receipts from insurance reimbursement, bequest and contributions	Expenses, supplies, and contractual services to operate EDS and clinics	\$10,000	Balance available for expenditure

## APPENDIX I

Add the following subsections to Zoning By-law V.E.7 in order to facilitate a greater variety of senior housing opportunities: (Additions in **bold**.)

j. **Semi-attached dwellings**

k. **Two-family dwellings**

l. **Three-family dwellings**

m. **Four-family dwellings**

## APPENDIX J

On or around the date of April 26, 2013, the Massachusetts Department of Environmental Protection (MADEP) approved the request of the Town of Hamilton to abandon the groundwater well located upon the Patton Homestead Property located at 650 Asbury Street, Hamilton, MA 01982. Correspondingly the land area within the MADEP Approved Zone II area is decreased (see MADEP document and map). Therefore, less land area is within the affected groundwater zone and less land area is within the Groundwater Protection Overlay District.

APPENDIX J



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

RECEIVED  
TOWN CLERK'S OFFICE

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01897-6900

DEVAL L. PATRICK  
Governor

RICHARD K. SULLIVAN JR.  
Secretary

TIMOTHY P. MURRAY  
Lieutenant Governor

KENNETH L. KIMMELL  
Commissioner

April 26, 2013

David Hanlon  
Hamilton Department of Public Works  
P.O. Box 429  
Hamilton, MA 01936

RE: City/Town: Hamilton  
PWS Name: Hamilton Water Department  
PWS-ID No.: 3119000  
Program: System Modifications  
Action: Well Abandonment—Patton Well  
Transmittal No.: X253449

Dear Mr. Hanlon:

Please find attached the following information:

Abandonment of the Town of Hamilton's Patton Well.

Please note that the signature on this cover letter indicates formal issuance of the attached document. If you have any questions regarding this letter, please contact James Persky at (978) 694-3227.

Sincerely,

James H. Persky  
Environmental Analyst  
Drinking Water Program

Sincerely,

Thomas Mahin  
Drinking Water Section Chief  
Northeast Regional Office

cc: DWP/Boston Office (no attachment)  
Bruce Bouck, MassDEP, Drinking Water, Boston  
Richard Friend, MassDEP, Water Management, Boston  
Michael Lombardo, Town Manager, P.O. Box 429, Hamilton, MA 01936  
Kristine Cheetham, Hamilton Planning Board, P.O. Box 429, Hamilton, MA 01936  
Blake Martin, Weston & Sampson Engineers, Inc., 5 Centennial Drive, Peabody, MA 01960-7985

File Name: Y:\DWP Archive\NERO\Hamilton-3119000-System Modifications-2013-04-26

## APPENDIX J

City/Town: Hamilton  
PWS: Hamilton Water Department  
PWS ID: 3119000

- 2 -

Well Abandonment  
Patton Well  
April 26, 2013

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed a November 2, 2012 submittal from the Town of Hamilton Department of Public Works, which proposes abandonment of the Town's Patton Well as a source of public water supply. MassDEP and Town representatives met on March 21, 2012 to discuss the possible abandonment of the well and the issues involved. At this meeting, MassDEP stated that the Zone II wellhead protection area that includes Hamilton and Wenham's municipal wells would have to be revised if the Town opted to abandon the well. The Town's application to abandon the well did not include the revised Zone II; therefore, MassDEP issued a Statement of Technical Deficiency on November 13, 2012, requiring submittal of a revised Zone II delineation. The firm of Weston & Sampson Engineers, Inc., submitted a revised Zone II delineation to MassDEP on behalf of the Town on January 30, 2013.

The Patton Well was installed in 1957, and has an approved daily volume of 0.29 million gallons per day (equivalent to a pumping rate of 200 gallons per minute). The well has not been used for public water supply since 2004, due to elevated levels of naturally occurring iron and manganese, and an elevated sodium level that may be related to road salt runoff. The Town has maintained the well, and has pumped the well to waste on occasion in order to collect the water quality samples required by Massachusetts Drinking Water Regulations and the Federal Safe Drinking Water Act.

In 2012, the Town received a gift from the Patton family of 27.2 acres of land, buildings, and structures adjacent to the Patton Well. The Town plans to use much of the land for recreational purposes, including athletic fields. Portions of the athletic fields, which will require use of turf-care chemicals, and improved access to the boat ramp on the Ipswich River, will be located within the 400-foot Zone I protective radius of the well. MassDEP would not approve these changes to land use within the Zone I. The well is of relatively low yield and is not used due to poor water quality. The Town has concluded that it would not be cost-effective to treat the well water on-site or install a raw water main to bring the water to the Idlewood Water Treatment Facility. The Town has weighed the use of the Zone I for recreational purposes against the benefit of preserving the well, and has concluded that the Patton Well is not needed to meet the present, future, or emergency water needs of the Town. The Town therefore proposes to abandon the well.

**MassDEP hereby approves abandonment of the Patton Well (Source ID No. 3119000-03G).** The Patton Well is no longer considered to be a source of public water supply, and will no longer be protected as a public water source under MassDEP programs. The well will not appear on future maps produced by MassDEP's Geographic Information System staff.

As an abandoned well, the Patton Well must be physically disconnected from the municipal water distribution system. MassDEP strongly recommends that abandoned wells also be properly decommissioned as described in *Guidelines for Public Water Systems*, unless they will be used in the future for irrigation or other non-potable purposes, to ensure that they will not present a physical hazard or provide a route for contaminants to enter the groundwater. The Town is not presently proposing to decommission the Patton Well, because the well could

## APPENDIX J

City/Town: Hamilton  
PWS: Hamilton Water Department  
PWS ID: 3119000

- 3 -

Well Abandonment  
Patton Well  
April 26, 2013

potentially be used in the future to water the proposed athletic fields. For such an irrigation use, the Town should consider retrofitting the well with a lower-yield pump. MassDEP will not allow the well to be used at such a high rate for irrigation use that it causes the Town to violate its Water Management Act authorized withdrawal volume.

The Patton Well is located on a land parcel that the Town acquired in 1958 "for water purposes." Please be aware that the Town will likely need Article 97 approval by two-thirds vote of both branches of the State legislature before this parcel can be converted to another purpose or otherwise disposed of. The Town should discuss this matter with its Town Counsel.

### Zone II

The Weston & Sampson revised Zone II no longer has the Ipswich River as its downgradient boundary. The Zone II now ends at the near edge of the inundated wetlands in Wenham Swamp as shown on the U.S. Geological Survey topographic map, and treats the inundated wetlands as a recharge boundary. MassDEP reviewed aerial orthophotographs from 2005, 2008, and 2011, and determined that the area of inundated wetlands closely matches the topographic map.

The removal of the Patton Well from the Zone II delineation did not reduce the size of the Zone II as much as MassDEP had anticipated, because of the nearly flat hydraulic gradient in Wenham Swamp. A low hydraulic gradient causes a well's capture zone to extend farther in the lateral and downgradient directions.

**MassDEP approves the revised Zone II delineation by Weston & Sampson.** This delineation supersedes the previous Zone II delineation, which was prepared by Camp Dresser & McKee, Inc., in a December 1991 report, and was approved by MassDEP on March 18, 1992. The following public supply wells are included within the Weston & Sampson Zone II (the Town of Hamilton's School Street Well is in a separate Zone II):

Town	Well Name	Source ID No.
Hamilton	Caisson Well	3119000-04G
Hamilton	Idlewood Well #1 and Satellite	3119000-05G
Hamilton	Idlewood Well #2	3119000-06G
Hamilton	Plateau Well	3119000-07G
Hamilton	Caisson Satellite Well	3119000-08G
Wenham	Well #1	3320000-01G
Wenham	Well #2	3320000-02G

As noted above, the revised Zone II delineation includes the Town of Wenham's Wells Nos. 1 and 2. The new Zone II delineation eliminates some areas in the Towns of Danvers, Topsfield, and Wenham that were included in the previous Zone II. Therefore, MassDEP will send copies of this letter and the revised Zone II delineation to the Wenham Water Department and to the municipal Planning Departments in the Towns of Danvers, Topsfield, and Wenham.

# APPENDIX J



Municipality: Hamilton, MA  
 FWSID#: 3119000  
 Well Name: Calsson; Idlewood #1 & #2  
 Purveyor: Hamilton Water Department  
 Source No.: -04G, -06G, -06G  
 Well No.: N/A  
 Program: Drinking Water  
 USGS Quad: Salem/pswich/Georgetown  
 Long/Lat: 70 Deg. 53' 48" W, 42 Deg. 37' 6" N  
 Consultant: Weston & Sampson  
 Date of Study: January 2013  
 Approval Signatures: \_\_\_\_\_ Date: \_\_\_\_\_

PROPOSED  
 GROUNDWATER  
 PROTECTION  
 OVERLAY  
 DISTRICT  
 (GPOD)

Scale = 1" : 2,000'

## Legend

- ▲ Community Ground Water
- ▲ Community Surface Water
- ▲ Surface Distribution SRe
- ▲ Non-Transient Non-Community
- ▲ Transient Non-Community
- ▲ Proposed Well
- Zone I
- Zone II Boundary
- ▨ DEP Approved Zone IIe



## APPENDIX K

Proposed amendments to Zoning By-law Section VI.H Site Plan Review: (Additions are in **bold** and deletions are ~~struck through~~.)

VI.H.2.c to be amended to read:

7. Town house or multi-family housing developed under the OSFPD (V. A. 12) or Senior Housing (V. E.) By-law or uses permitted by Special Permit within the Commercial Overlay District shall not require Site Plan Review. Wind Energy Facilities in the Commercial Overlay District shall require Site Plan Review. ~~under the Planning Board. (Added May 2010)~~

VI.H.3.a to be amended to read:

1. Except for those proposals eligible for Abbreviated Site Plan Review (2.b above), the applicant shall file 21 copies of all Site Plan Review materials as specified below, accompanied by a fee and documentation as required by the ~~Zoning Board of Appeals~~ **Planning Board** Instruction Sheet. ~~(Revised May 6, 2008, Article 2008/5-3-3)~~ The application shall be submitted to the Town Clerk. The application will not be considered legally submitted, for purposes of starting the review "clock", until it is complete and all copies are submitted. The Town Clerk shall thereafter forward ~~five copies to the Board of Appeals,~~ eight copies to the Planning Board, and one copy each to the Building Inspector, Department of Public Works, Bd. of Selectmen, Bd. of Health, Conservation Commission, Police/Fire Dept., and Office on Disability for their comments, retaining one copy for the Town Clerk file. An electronic copy of the application, including plans and drawings, shall also be submitted at the time of application, unless waived by the ~~Zoning Board of Appeals~~ **Planning Board**. ~~At or before the time of application, the applicant shall arrange to meet with the Planning Board to discuss the proposed Site Plan, as a basis for that Board's recommendation to the Bd. of Appeals. (The applicant is encouraged to meet informally with any of the above Boards/Departments for "input".) The commenting Boards/Commissions/ Departments shall transmit their comments in writing to the Bd. of Appeals~~ **Planning Board** within 35 days from the date of application. ~~(amended May 3, 2006, Article 4-5).~~
2. ~~The Board of Appeals~~ **Planning Board** shall hold a public hearing within thirty-five (35) days of the date of an application. Notice of the public hearing shall be given by publication in a newspaper of general circulation in Hamilton in each of 2 successive weeks, the first publication to be not less than 14 days before the day of the hearing. In addition, all abutters within 300 feet of the property line of the petitioner, as they appear on the most recent assessor's list, shall be notified by mail no less than 14 days before the hearing. The Board shall make its determination within 65 days of the public hearing, unless the applicant specifically grants an extension of the review

## APPENDIX K

period in writing. Failure to decide within 65 days of the public hearing shall constitute approval of the Site Plan by the ~~Bd. of Appeals~~ **Planning Board** unless the applicant granted the above-mentioned written waiver. (The Boards shall be encouraged to act in a shorter time period whenever possible.)

3. Where proposed new construction or alteration subject to Site Plan Review under this section IS ALSO an alteration of a pre-existing non-conforming use or structure under Sec. III of this By-law, the ~~Bd. of Appeals~~ **Planning Board** shall consolidate review under Sec. III.A. 1-3 with Site Plan Review under Sec. VI.H.
4. Where proposed new construction or alteration is subject to both Site Plan Review AND a Special Permit, the ~~Bd. of Appeals~~ **Planning Board** shall conduct both processes simultaneously, using the time limits of the Special Permit process to cover both reviews.

VI.H.3.b to be amended to read:

1. If the proposed construction and/or change of use is eligible for Abbreviated Site Plan Review under Sec. 2.b above, the Applicant shall file ~~8~~ **10** copies of the limited materials as required in 4) below with the Town Clerk, along with an Application fee and accompanying documents as required by the ~~Zoning Board of Appeals~~ **Planning Board** Instruction Sheet. The application will not be considered legally submitted until it is complete. The Town Clerk shall forward 5 copies to the ~~Board of Appeals~~ **Planning Board**, and one copy to the Building Inspector ~~and Planning Board~~, retaining one copy for the Town Clerk file. The commenting boards shall transmit their comments to the ~~Board of Appeals~~ **Planning Board** within 35 days of the date of application. A Public Hearing, abutter notification, and all other provisions as outlined in Section VI.H. 3.a.2, are required and apply to Abbreviated Site Plan Review. (~~Revised May 6, 2008, Article 2008/5 3-3~~)

VI.H.4.a. amended as follows:

1. Unless waived by the ~~Bd. of Appeals~~ **Planning Board**, all site plans shall be prepared to scale and be of professional quality. All site plans shall be standard 17"x24" or 24"x36" sheets and shall be prepared at a sufficient scale to show the following required items. (Please note: Applicant may want to have Site Plans prepared by Registered Architect or Engineer for proposals that require Architect/Engineer plans for Building Permits under the Mass. Building Code.)

## APPENDIX K

VI.H.2. to be amended to read:

- b. When the **Planning** Board deems it necessary, it may require that the applicant provide at his expense, supplemental data on traffic impact, including estimated daily and peak hour vehicle trips to be generated by the site, estimated number of employees and truck delivery schedule and hours of business;
- c. When the ~~Board of Appeals~~ **Planning Board** deems it necessary, it may require that the applicant provide at his expense supplemental data and analysis on potential environmental impacts of the proposed project on air quality, surface and groundwater quality, site and neighborhood drainage conditions. The Board may require that such studies be prepared by registered engineers or other appropriately qualified individuals.
- d. When the ~~Board of Appeals~~ **Planning Board** deems it necessary, it may require that the applicant pay a review fee to cover the reasonable costs of consultants engaged by said Board to assist in review of the proposed Site Plan, as authorized and limited by M.G.L. Ch. 44, Sec. 53G, and Sec. IX.H. of this Zoning By-law. (~~Added Nov. 13, 1990~~)

VI.H.6 to be amended to read:

The ~~Board of Appeals~~ **Planning Board** final action shall consist of either:

- c. approval subject to any conditions, modifications, and restrictions as the ~~Board of Appeals~~ **Planning Board** may deem necessary, including phasing of construction and performance guarantee for any public improvements.

VI.H.7 to be amended to read:

### Implementation of Site Plans

Construction of any approved Site Plan project shall begin within one year and be completed within two (2) years of the date of approval, unless extension is granted by the ~~Board of Appeals~~ **Planning Board** after notice and a public hearing. Otherwise approval shall lapse.

Add the following new Section VI.H.8:

### 8. Appeal

**Appeals from any action of the Planning Board pursuant to VI.H shall be appealed to the Zoning Board of Appeals for *de novo* determination.**

## APPENDIX K

Proposed amendments to Zoning By-law Section VI.H Site Plan Review will also impact the following sections: (Additions are in **bold** or deletions are ~~struck through~~):

III.A.1. to be amended to read:

Such use or structure shall not be extended or altered unless the Board of Appeals makes a finding that the extension or alteration shall not be substantially more detrimental to the neighborhood than the existing non-conforming use or structure. Any alteration or extension of a commercial, industrial or institutional structure in a residential zone is also required to have Site Plan Review **by the Planning Board**; see Section VI.H. ~~The Board of Appeals shall hear the above mentioned finding and the Site Plan Review simultaneously.~~

V.G.4 to be amended to read:

### Administration

The Planning Board shall be the Special Permit Granting Authority ~~and Site Plan Review authority in the COD~~. An applicant may file an application with the Planning Board in conformance with M.G.L. Chapter 40A, (the Zoning Act) Sections 9 and 11, this Bylaw section, and Planning Board COD Rules and Regulations.

VI.I. to be amended to read:

### Definitions

~~SITE PLAN REVIEW AUTHORITY: When the wind energy facility is located within the Designated Location, the Site Plan Review Authority will be the Planning Board.~~

### General Requirements for all Wind Energy Facilities

#### Site Plan Review

No Wind Energy Facility shall be erected, constructed, installed or modified as provided in this section without first undergoing Site Plan Review **by the Planning Board** if the project is located in the Designated Location (COD).

VI.I.A. to be amended to read:

### Administration

Placement of Wind Energy Facilities on any property in the designated location, Commercial Overlay District (COD) located in the Town of Hamilton, as described on the Hamilton Zoning Map, shall be a permitted use, however, will require Site Plan Review Section VI. H. ~~under the authority of the Planning Board~~, in addition to a building permit and any relevant electrical permits. Site Plan Review requires a public hearing with a timeframe limit of 120 days from application to the end of any appeal period.

## APPENDIX K

VI.I.A.a. to be amended to read:

### Utility Scale Wind Energy Facilities with Site Plan Review

13. Description of financial surety in the form of either an escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the facility and remediate the landscape, in an amount and form determined to be reasonable by the Site Plan Review Authority (~~Planning Board~~), but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the applicant. Such surety will not be required for municipally or state-owned facilities. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

VI.I.A.b. to be amended to read:

15. **Utility Connections**  
Reasonable efforts, as determined by the Site Plan Review Authority (~~Planning Board~~), shall be made to place all utility connections from the Wind Energy Facility underground, depending on appropriate soil conditions, shape and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
19. **Modification**  
All substantial modifications to a Wind Energy Facility made after issuance of the required building permit shall require approval by the Site Plan Review Authority (~~Planning Board~~).

VI.I.B.b.2. to be amended to read:

#### b. Utility Scale Wind Turbine Standards

Please refer to all standards as listed in VI.I.A. Wind Energy Facilities in Commercial Overlay District – Use Permitted By Right with Site Plan Review and note that ~~The Zoning Board of Appeals~~ **the Planning Board** may reduce the minimum setback distance as appropriate based on site-specific consideration or written consent of the affected abutter(s) if the project satisfies all other criteria for the granting of a building permit under the provisions of this section.

IX.B to be amended to read:

### **Powers and Duties**

The Board of Appeals shall have all the powers and perform all of the duties conferred or imposed upon it under the applicable provisions of the General Laws of the Commonwealth of Massachusetts, and is designated the permit granting authority and the special permit granting authority **to the extent provided in this Zoning By-law.** (~~But see Sec. VIII.C. of this By-law~~)

## APPENDIX K

IX.D. to be amended to read:

2. To hear and decide upon proposals for ~~Site Plan Review~~ and alterations to a non conforming use. (Added May 18, 1989)

3. To hear and decide applications for special permits ~~and Site Plan Review~~ as provided in this By-law, subject to any general or specific rules therein contained and subject to any appropriate conditions, safeguards and limitations imposed by the Board. A special permit shall be issued only following public hearing held within sixty-five days after filing of an application with the Town Clerk, who shall transmit a copy thereof to the Board of Appeals forthwith. A special permit shall lapse after one year if substantial use or construction, as granted by the permit, has not commenced, except for good cause. Time required to pursue or await the determination of an appeal shall not be considered in determining the one year limitation. ~~When an applicant needs to be heard by the Board of Appeals for both Site Plan Review and a special permit on the use of the structure, the Board shall conduct both processes simultaneously using the time table of the special permit process.~~ (Amended May 18, 1989)

5. To require applicants for Special Permits, ~~Site Plan Approval~~, Variances and/or Comprehensive Permits under M.G.L. Ch. 40B to pay a review fee to cover the reasonable costs of consultants engaged by the Board of Appeals to assist in review of proposed plans, as set forth in Sec. IX.H. of this Zoning By-law.

IX.H. to be amended to read:

### H. Outside Consultants to Assist Special Permit Granting Authority/**Site Plan Reviewing Authority**

(This section added November 13, 1990)

1. When reviewing an application for (permit/approval), the **reviewing** Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project or because of a project's potential impacts. The Board may require that applicants pay a "review fee" consisting of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of an application.

5. Any applicant may take an administrative appeal from the selection outside consultant to the ~~(City Counsel/Board of Selectmen)~~. **Zoning Board of Appeals, in the case of an appeal from the Planning Board, or to the Board of Selectmen, in the case of an appeal from the Zoning Board of Appeals.** The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue

## APPENDIX K

or related field. The required time limit for action upon an application by the board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the (~~City Counsel~~/ **Zoning Board of Appeals**/Board of Selectmen) within one month following the filing of the appeal, the selection made by the board shall stand.

## APPENDIX L

Citizens Petition as submitted to the Town Clerk on November 17, 2014 including:  
Cover letter to Hamilton Board of Selectmen;  
Petition signed by residents;  
"Appendix A Current Site Plan Bylaw";  
"Appendix B Additions and Deletions to Site plan Review Article for April, 2015  
Warrant" and  
"Appendix C Copy of Revised Article 15, Section VI.H(Site Plan Review)"

November 13, 2014  
356 Chebacco Rd.  
South Hamilton MA, 01982

RECEIVED  
TOWN CLERK'S OFFICE  
HAMILTON, MA

2014 NOV 17 AM 11 24

Hamilton Board of Selectman  
Hamilton MA, 01982

Dear Board of Selectman;

Enclosed please find a Citizen's Petition, with appendices, requesting inclusion of an Article on the Warrant for the Annual Town Meeting in 2015, to modify the current By-law by transferring authority for Site Plan Review from the Zoning Board of Appeals back to the Planning Board.

I understand the procedure to be as follows: The Board of Selectman has 14 days from the date of receipt of this Petition to review the proposed Article and to charge the Planning Board to hold two public hearings, which must be concluded within 65 days. Following the public hearings, the Planning Board will make a recommendation to the Board of Selectman.

Thank you for attention to this matter.

Sincerely



William Dery



# APPENDIX L

Petition for Action by the Voters of the Town of Hamilton

DATE and TIME this paper received by  
Registrars  
  
RECEIVED  
TOWN CLERK'S OFFICE  
HAMILTON, MA

To determine if the Town will approve that Site Plan Review, 2011, filed with Section VI, Article 15, Section H (see Appendix \_\_\_\_), be held under the authority and oversight of The Planning Board, not under the authority of the Zoning Board Of Appeals and that all Amendments and Abbreviated Site Plan Reviews (Article 2008/5 3-3 and Article 2006/5 4-5) to said Bylaw reflect this change AND To determine that Regular Site Plan Review changes as indicated in Section VI, Article 15, Sections H.3 through H.7 as set forth in Appendix \_\_\_\_ A be adopted, or that the Town of Hamilton take any other action thereon, or relative thereto."

SIGNERS= STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Hamilton.

## INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I	II	III
Signature to be made in person	Now I bring At	

## **APPENDIX L**

### **Appendix \_\_A to Site Plan Review Article for April, 2015 Warrant**

#### **Current Site Plan Bylaw**

#### **3. Application and Decision Process**

##### **a. Regular Site Plan Review**

1. Except for those proposals eligible for Abbreviated Site Plan Review (2.b above), the applicant shall file 21 copies of all Site Plan Review materials as specified below, accompanied by a fee and documentation as required by the Zoning Board of Appeals Instruction Sheet. (Revised May 6, 2008, Article 2008/5 3-3) The application shall be submitted to the Town Clerk. The application will not be considered legally submitted, for the purposes of starting the review "clock", until it is complete and all copies are submitted. The Town Clerk shall thereafter forward five copies to the Board of Appeals, eight copies to the Planning Board, and one copy each to the Building Inspector, Department of Public Works, Bd. of Selectman Bd. of Health, Conservation Commission, Police/Fire Dept., and Office on Disability for their comments, retaining one copy for the Town Clerk file. An electronic copy of the application, including plans and drawings, shall also be submitted at the time of application, unless waived by the Zoning Board of Appeals. At or before the time of application, the applicant shall arrange to meet with the Planning Board to discuss the proposed Site Plan, as a basis for that Board's recommendation to the Bd. of Appeals. (The applicant is encouraged to meet informally with any of the above Boards/Departments for "input".) The commenting Boards/Commissions/Departments shall transmit their comments in writing to the Bd. of Appeals within 35 days from the date of application. (amended May 3, 2006, Article 4-5).

2. The Board of Appeals shall hold a public hearing within thirty-five (35) days of the date of an application. Notice of the public hearing shall be given by publication in a newspaper of general circulation in Hamilton in each of 2 successive weeks, the first publication to be not less than 14 days before the day of the hearing. In addition, all abutters within 300 feet of the property line of the petitioner, as they appear on the most recent assessor's list, shall be notified by mail no less than 14 days before the hearing. The Board shall make its determination within 65 days of the public hearing, unless the applicant specifically grants an extension of the review period in writing. Failure to decide within 65 days of the public hearing shall constitute approval of the Site Plan by the Bd. of Appeals unless the applicant granted the above-mentioned written waiver. (The Boards shall be encouraged to act in a shorter time period whenever possible.)

## APPENDIX L

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3. Where proposed new construction or alteration subject to Site Plan Review under this section IS ALSO an alteration of the pre-existing non-conforming use or structure under Sec. III of this By-law, the Bd. of Appeals shall consolidate review under Sec. III.A. 1-3 with Site Plan Review under Sec VI.H.

4. Where proposed new construction or alteration is subject to both Site Plan Review AND a Special Permit, the Bd. of Appeals shall conduct both processes simultaneously, using the time limits of the Special Permit process to cover both reviews.

### b. Abbreviated Site Plan Review

1. If the proposed construction and/or change of use is eligible for Abbreviated Site Plan Review under Sec. 2.b above, the Applicant shall file 8 copies of the limited materials as required in 4) below with the Town Clerk, along with an Application fee - and accompanying documents as required by the Zoning Board of Appeals Instruction Sheet. The application will not be considered legally submitted until it is complete. The Town Clerk shall forward 8 copies to the Board of Appeals, and one copy to the Building Inspector and Planning Board, retaining one copy for the Town Clerk file. The commenting boards shall transmit their comments to the Board of Appeals within 35 days of the date of application. A Public Hearing, abutter notification, and all other provisions as outlined in Section VI.H 3.a.2, are required and apply to Abbreviated Site Plan Review. (Revised May 6, 2008, Article 2008/5 3-3)

## 4. Required Site Plan Contents

### a. Regular Site Plan Review

1. Unless waived by the Bd. of Appeals, all site plans shall be prepared to scale and be of professional quality. All site plans shall be standard 17" x 24" or 24" x 36" sheets and shall be prepared at a sufficient scale to show the following required items. (Please note: Applicant may want to have Site Plans prepared by Registered Architect or Engineer for proposals that require Architect/Engineer plans for Building Permits under the Mass. Building Code.)

- a. location and boundaries of existing (and proposed) lot, adjacent streets or ways including rights-of way and easements, and the location and owner names of all adjacent properties.
- b. the size of the lot, frontage and yards.
- c. all existing and proposed buildings and structures, including dimensions.

## APPENDIX L

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- d. elevation drawings (architectural appearance) of the building or building with addition, from each side. (For additions/alterations, show only the affected sides.)
- e. the location and dimensions of all parking and loading areas, driveways, walkways, access and egress points, specifically as they relate to street traffic; number of parking spaces, with note comparing total to Sec. VI.D requirement; and indication of facilities for handicapped access per State Law.
- f. If the project includes any grading and site work, topography of the site at 2-foot intervals based on U.S. G.S. data, showing both existing and proposed contours.
- g. the location and description of all existing and proposed sewerage disposal and treatment systems, and underground storage tanks, water supply, storm drainage systems, utilities, and refuse disposal dumpsters;
- h. location, height, and type of all external lighting;
- i. location, height, dimensions and appearance of signs;
- j. proposed landscaping including the location and description of existing large trees, proposed screening, buffers, fencing, plantings, open spaces and recreation areas;
- k. statement of any other local and/or state permits required of the project.

### 2. Other materials

- a. completed Site Plan application form available in Town Clerk's office.
- b. When the Board deems it necessary, it may require that the applicant provide at his expense, supplemental data on traffic impact, including estimated daily and peak hour vehicle trips to be generated by the site, estimated number of employees and truck delivery schedule and hours of business.
- c. When the Board of Appeals deems it necessary, it may require that the applicant provide at his expense supplemental data and analysis on potential environmental impacts of the proposed project on air quality, surface and groundwater quality, site and neighborhood drainage conditions. The Board may require that

## APPENDIX L

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such studies be prepared by registered engineer or other appropriately qualified individuals.

- d. When the Board of Appeals deems it necessary, it may require that the applicant pay a review fee to cover the reasonable costs of consultants engaged by said Board to assist in review of the proposed Site Plan, as authorized and limited by M.G.L. Ch. 44, Sec. 53G, and Sec. IX.H. of this Zoning By-law. (Added Nov. 13, 1990)

### b. Abbreviated Site Plan Review Plans and Submission Contents

1. For projects qualifying for Abbreviated Site Plan Review under H.2.b above, the basic plan standards (4.a.1) shall apply, and Site Plan shall show items a), b), c), e), and g) of the Regular Site Plan requirements and only those elements of the remaining items d), f), and h) - k) that will be changed by the proposed construction or alteration. Along with the Site Plan, the applicant shall submit a completed Site Plan application form available from the Town Clerk's office.

## 5. Site Plan Review Guidelines

The following guidelines shall be considered in the review and evaluation of a site plan.

- a. The Plan shall show compliance with Zoning By-law requirements for parking, signage, loading, Site Plan, heights, lot dimensions, and all other applicable requirements of this By-law.
- b. The proposed project should be compatible with existing natural features of the site, and compatible in architecture and scale with the surrounding area.
- c. The plan shall show provision for landscaping and open spaces that enhance the proposed development from within and without, which provide screening and buffers as necessary and which maximize amenity for customers, neighbors, and the general public.
- d. The proposed project shall provide for safe and convenient vehicular and pedestrian movement within the site in relation to adjacent ways, and provide for compliance with State handicapped access requirements, and provide for access and egress by emergency vehicles.
- e. The proposed project shall provide for location and screening of exposed storage areas, machinery, service areas, dumpsters, utility buildings and structures and other unsightly uses to maximize amenity for neighborhood. The Board may require landscaping and/or fencing to provide needed buffers.

## APPENDIX L

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f. The proposed plan shall be consistent with the capacity of local Infrastructure, such as water supply, utilities, drainage and streets, or shall provide for such Improvements as necessary.

g. The plan shall provide for compliance with Board of Health, Conservation Commission and other Town and State regulations. Where applicable, Site Plan may be made conditional upon Board of Health, Conservation Commission, State Dept. of Public Works or other approvals, which shall be specifically referenced in the decision.

### 6. Final Action

The Board of Appeals final action shall consist of either:

- a. A written approval of the Site Plan, with a determination that the proposal meets the criteria set forth in this by-law, or;
- b. a written denial of the application stating the reasons for such denial, or;
- c. approval subject to any conditions, modifications, and restrictions as the Board of Appeals may deem necessary, including phasing of construction and performance guarantee for any public improvements.

### 7. Implementation of Site Plans

Construction for any approved Site Plan project shall begin within one year and be completed within two (2) years of the date of approval, unless extension is granted by the Board of Appeals after notice and a public hearing. Otherwise approval shall lapse.

## APPENDIX L

### Appendix \_\_B Additions and Deletions

#### to Site Plan Review Article for April, 2015 Warrant

##### The following Amendments are proposed:

In Section VI, H.3.a.1

In line 4 after "as required by the", delete "Zoning Board of Appeals", and after "as required by the", add "Planning Board",

at beginning of line 9 delete "five copies to the Board of Appeals, eight copies to the Planning Board," and at the beginning of line 9 add "three copies to the Board of Appeals, ten copies to the Planning Board",

In line 15 after "unless waived by the" delete "Zoning Board of Appeals", and after "unless waived by the" add "Planning Board",

In line 17 after "Site Plan, as", delete "a" and after "Site Plan, as", add "an informal.

In line 18 after "Board's", delete "recommendation to the Bd. of Appeals", and add "decision".

In line 22 after "writing to the", delete "Bd. of Appeals", and after "writing to the" add "Planning Board".

at beginning of line 23 delete "(amended May 3, 2006, Article 4-5)"

In Section VI, H.3.a.2

at beginning of line 1 delete "The Board of Appeals" and at the beginning of line 1 add "The Planning Board".

at end of line 11 delete "Bd. of" and at the end of line 11 add "Planning Board".

at beginning of line 12 delete "Appeals",

In Section VI, H.3.a.3

at end of line 3 delete "Bd. of" and at the end of line 3 add "Planning Board",

at beginning of line 4 delete "Appeals",

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In Section VI, H.3.a.4

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In line 2 after "Special Permit," delete "Bd. of Appeals" and after "Special Permit," add "Planning Board",

In Section VI, H.3.b.1

In line 5 after "required by the" delete "Zoning Board of Appeals" and after "required by the" add "Planning Board",

In line 7 after "shall forward" delete "five copies to the Board of" and after "shall forward" add "ten copies to the Planning Board"

at beginning of line 8 delete "Appeals",

at the end of line 8 delete "Planning Board" and at the end of line 8 add "Zoning Board of Appeals"

In line 10 after "comments to the" delete "Board of Appeals" and after "comments to the" add "Planning Board",

In line 13 after "apply" delete "to Abbreviated Site Plan Review. (Revised May 6, 2008, Article"

In line 14 delete "2008/5 3-3".

In Section VI, H.4.a.1

In line 1 after "waived by the" delete "Bd. of Appeals" and after "waived by the" add "Planning Board",

In Section VI, H.4.a.2.b

In line 1 after "When the" add "Planning",

In Section VI, H.4.a.2.c

In line 1 after "When the" delete "Board of Appeals" and after "When the" add "Planning Board",

In line 5 after "conditions. The" add "Planning"

In Section VI, H.4.a.2.d

In line 1 after "When the" delete "Board of Appeals" and after "When the" add "Planning Board",

In Section VI, H.5.e

In line 3 after "neighborhood. The", add "Planning",

In Section VI, H.6



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at the beginning of line 1 delete "The Board of Appeals" and at the beginning of line 1 add "Planning Board",

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In Section VI, H.6.c

at the end of line 1 delete "Board of" and at the end of line 1 add "Planning Board",

at the beginning of line 2 delete "Appeals"

In Section VI, H.7

at the beginning of line 3 delete "Board of Appeals" and at the beginning of line 3 add "Planning Board".

## APPENDIX L

### Appendix \_\_C to Site Plan Review Article for April, 2015 Warrant

#### Revised Site Plan Bylaw

#### 3. Application and Decision Process

##### a. Regular Site Plan Review

1. Except for those proposals eligible for Abbreviated Site Plan Review (2.b above), the applicant shall file 21 copies of all Site Plan Review materials as specified below, accompanied by a fee and documentation as required by the **Planning Board** Instruction Sheet. (Revised May 6, 2008, Article 2008/5 3-3) The application shall be submitted to the Town Clerk. The application will not be considered legally submitted, for the purposes of starting the review "clock", until it is complete and all copies are submitted. The Town Clerk shall thereafter forward **three** copies to the Board of Appeals, **ten** copies to the Planning Board, and one copy each to the Building Inspector, Department of Public Works, Bd. of Selectman, Bd. of Health, Conservation Commission, Police/Fire Dept., and Office on Disability for their comments, retaining one copy for the Town Clerk file. An electronic copy of the application, including plans and drawings, shall also be submitted at the time of application, unless waived by the **Planning Board**. At or before the time of application, the applicant shall arrange to meet with the Planning Board to discuss the proposed Site Plan, as an **informal** basis for that Board's **decision**. (The applicant is encouraged to meet informally with any of the above Boards/Departments for "input".) The commenting Boards/Commissions/Departments shall transmit their comments in writing to the **Planning Board** within 35 days from the date of application.

2. The **Planning Board** shall hold a public hearing within thirty-five (35) days of the date of an application. Notice of the public hearing shall be given by publication in a newspaper of general circulation in Hamilton in each of 2 successive weeks, the first publication to be not less than 14 days before the day of the hearing. In addition, all abutters within 300 feet of the property line of the petitioner, as they appear on the most recent assessor's list, shall be notified by mail no less than 14 days before the hearing. The Board shall make its determination within 65 days of the public hearing, unless the applicant specifically grants an extension of the review period in writing. Failure to decide within 65 days of the public hearing shall constitute approval of the Site Plan by the **Planning Board** unless the applicant granted the above-mentioned written waiver. (The Boards shall be encouraged to act in a shorter time period whenever possible.)

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3. Where proposed new construction or alteration subject to Site Plan Review under this section IS ALSO an alteration of the pre-existing non-conforming use or structure under Sec. III of this By-law, the **Planning Board** shall consolidate review under Sec. III.A. 1-3 with Site Plan Review under Sec VI.H.

4. Where proposed new construction or alteration is subject to both Site Plan Review AND a Special Permit, the **Planning Board** shall conduct both processes simultaneously, using the time limits of the Special Permit process to cover both reviews.

### b. Abbreviated Site Plan Review

1. If the proposed construction and/or change of use is eligible for Abbreviated Site Plan Review under Sec. 2.b above, the Applicant shall file 8 copies of the limited materials as required in 4) below with the Town Clerk, along with an Application fee - and accompanying documents as required by the **Planning Board** Instruction Sheet. The application will not be considered legally submitted until it is complete. The Town Clerk shall forward ten copies to the **Planning Board** Appeals, and one copy to the Building Inspector and **Zoning Board of Appeals**, retaining one copy for the Town Clerk file. The commenting boards shall transmit their comments to the **Planning Board** within 35 days of the date of application. A Public Hearing, abutter notification, and all other provisions as outlined in Section VI.H 3.a.2, are required and apply to Abbreviated Site Plan Review.

## 4. Required Site Plan Contents

### a. Regular Site Plan Review

1. Unless waived by the **Planning Board**, all site plans shall be prepared to scale and be of professional quality. All site plans shall be standard 17" x 24" or 24" x 36" sheets and shall be prepared at a sufficient scale to show the following required items. (Please note: Applicant may want to have Site Plans prepared by Registered Architect or Engineer for proposals that require Architect/Engineer plans for Building Permits under the Mass. Building Code.)

- a. location and boundaries of existing (and proposed) lot, adjacent streets or ways including rights-of way and easements, and the location and owner names of all adjacent properties.
- b. the size of the lot, frontage and yards.
- c. all existing and proposed buildings and structures, including dimensions.

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- d. elevation drawings (architectural appearance) of the building or building with addition, from each side. (For additions/alterations, show only the affected sides.)
  - e. the location and dimensions of all parking and loading areas, driveways, walkways, access and egress points, specifically as they relate to street traffic; number of parking spaces, with note comparing total to Sec. VI.D requirement; and indication of facilities for handicapped access per State Law.
  - f. If the project includes any grading and site work, topography of the site at 2-foot intervals based on U.S. G.S. data, showing both existing and proposed contours.
  - g. the location and description of all existing and proposed sewerage disposal and treatment systems, and underground storage tanks, water supply, storm drainage systems, utilities, and refuse disposal dumpsters;
  - h. location, height, and type of all external lighting;
  - i. location, height, dimensions and appearance of signs;
  - j. proposed landscaping including the location and description of existing large trees, proposed screening, buffers, fencing, plantings, open spaces and recreation areas;
  - k. statement of any other local and/or state permits required of the project.
2. Other materials
- a. Completed Site Plan application form available in Town Clerk's office.
  - b. When the **Planning Board** deems it necessary, it may require that the applicant provide, at his expense, supplemental data on traffic impact, including estimated daily and peak hour vehicle trips to be generated by the site, estimated number of employees and truck delivery schedule and hours of business.
  - c. When the **Planning Board** deems it necessary, it may require that the applicant provide at his expense supplemental data and analysis on potential environmental impacts of the proposed project on air quality, surface and groundwater quality, site and neighborhood drainage conditions. The **Planning Board** may require that

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such studies be prepared by a registered engineer or other appropriately qualified individuals.

- d. When the **Planning Board** deems it necessary, it may require that the applicant pay a review fee to cover the reasonable costs of consultants engaged by said Board to assist in review of the proposed Site Plan, as authorized and limited by M.G.L. Ch. 44, Sec. 53G, and Sec. IX.H. of this Zoning By-law. (Added Nov. 13, 1990)

### b. Abbreviated Site Plan Review Plans and Submission Contents

1. For projects qualifying for Abbreviated Site Plan Review under H.2.b above, the basic plan standards (4.a.1) shall apply, and Site Plan shall show items a), b), c), e), and g) of the Regular Site Plan requirements and only those elements of the remaining items d), f), and h) - k) that will be changed by the proposed construction or alteration. Along with the Site Plan, the applicant shall submit a completed Site Plan application form available from the Town Clerk's office.

## 5. Site Plan Review Guidelines

The following guidelines shall be considered in the review and evaluation of a site plan.

- a. The Plan shall show compliance with Zoning By-law requirements for parking, signage, loading, Site Plan, heights, lot dimensions, and all other applicable requirements of this By-law.
- b. The proposed project should be compatible with existing natural features of the site, and compatible in architecture and scale with the surrounding area.
- c. The plan shall show provision for landscaping and open spaces that enhance the proposed development from within and without, which provide screening and buffers as necessary and which maximize amenity for customers, neighbors, and the general public.
- d. The proposed project shall provide for safe and convenient vehicular and pedestrian movement within the site in relation to adjacent ways, and provide for compliance with State handicapped access requirements, and provide for access and egress by emergency vehicles.
- e. The proposed project shall provide for location and screening of exposed storage areas, machinery, service areas, dumpsters, utility buildings and structures and other unsightly uses to maximize amenity for neighborhood. The **Planning Board** may require landscaping and/or fencing to provide needed buffers.

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f. The proposed plan shall be consistent with the capacity of local infrastructure, such as water supply, utilities, drainage and streets, or shall provide for such improvements as necessary.

g. The plan shall provide for compliance with Board of Health, Conservation Commission and other Town and State regulations. Where applicable, Site Plan may be made conditional upon Board of Health, Conservation Commission, State Dept. of Public Works or other approvals, which shall be specifically referenced in the decision.

### 6. Final Action

The **Planning Board** final action shall consist of either:

- a. A written approval of the Site Plan, with a determination that the proposal meets the criteria set forth in this by-law, or;
- b. a written denial of the application stating the reasons for such denial, or;
- c. approval subject to any conditions, modifications, and restrictions as the **Planning Board** may deem necessary, including phasing of construction and performance guarantee for any public improvements.

### 7. Implementation of Site Plans

Construction for any approved Site Plan project shall begin within one year and be completed within two (2) years of the date of approval, unless extension is granted by the **Planning Board** after notice and a public hearing. Otherwise approval shall lapse.

## APPENDIX M

Proposed amendments to Zoning By-law Section VI.J “Communication Tower (CT) and Telecommunications Antenna Facilities (TAF)” are in bold:

VI.J.5.b.4 to be amended to read:

Distance from all existing structures shall be at least **200 hundred (200’)** feet, excluding existing structures on the lot.

Currently, the distance requirement is 500 hundred (500’) feet.

VI.J.6.c to be amended to read:

- c. Tower height shall be limited to **one hundred and ten (110’)** feet and shall be designed to accommodate the use for which the application is made. Applications for Communication Towers in excess of **one hundred and ten (110’) feet** shall be accompanied by a detailed technical showing as to the necessity of the additional height (co-location, reduced tower density in community, etc.)

VI.J.6.d to be amended to read:

- d. All CTs greater than **one hundred and ten (110’)** feet in height shall be monopole in type.

Currently, the maximum tower height in both of these sections is fifty-five (55’) feet.

## APPENDIX N

Add proposed Chapter XXX V to the Town By-laws:

### CHAPTER XXXV

#### ENVIRONMENTAL HAZARDS: REDUCTION OF WASTE

##### A. PLASTIC BAG REDUCTION

###### SECTION 1. Findings and Purpose

The production and use of thin-film, single-use checkout bags have been shown to have significant detrimental impacts on the environment, including, but not limited to, contributing to the potential death of marine animals through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their manufacture. The purpose of this bylaw is to eliminate the usage of thin-film, single-use plastic bags by all retail establishments in the Town of Hamilton thereby promoting the health and safety of the citizens of the Town through the preservation of the environment.

###### SECTION 2. Definitions

The following words shall, unless context clearly indicates otherwise, have the following meanings:

"**ASTM D6400**", the American Society for Testing and Materials (ASTM) International "Standard Specification for Compostable Plastics" which includes those plastics and products made from plastics that are designed to be composted under aerobic conditions in municipal and industrial aerobic composting facilities, including future iterations of that standard.

"**ASTM D7081**", ASTM International "Standard Specification for Biodegradable Plastics in the Marine Environment" which includes those plastics and products that are designed to be biodegradable under the marine environmental conditions of aerobic marine waters or anaerobic marine sediments, or both, including future iterations of that standard.

"**Carryout Bag**" shall mean a bag provided by a store to a customer at the point of sale for the purpose of removing products purchased at the store. Carryout Bags shall not include those bags, whether plastic or not, intended for the use by a customer for placing loose produce or other bulk food items to carry to the point of sale or checkout area of the store.

"**Compostable Plastic Bag**" shall mean a plastic bag that (1) conforms to the current ASTM D6400 specifications for compostability; (2) is certified and labeled as meeting the ASTM D6400 standard specifications by a recognized verification entity.

"**Health Agent**", the Health Agent for the Town of Hamilton or his/her designee.

"**Marine Degradable Plastic Bag**" shall mean a plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability.

"**Retail establishment**" shall mean any business facility that sells goods directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, "mini-



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marts," and retail stores and vendors selling clothing, food, and household or personal items.

**"Reusable Bag"** shall mean a bag with handles that is specifically designed for multiple reuse and is either:

- (1) made of cloth or other washable fabric; or
- (2) made of durable plastic 3 mil in thickness; or
- (3) of some other durable non-toxic material.

**"Thin-Film, Single-Use Plastic Bags"** shall mean those bags typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), polypropylene (other than woven and non-woven polypropylene fabric) if said film is less than 3.0 mils (.0762mm) in thickness and which do not meet the ASTM D6400 or ASTM D7081 standard specifications.

### SECTION 3. Thin-film, Single-Use Plastic Bags Prohibited

- A. No retail establishment in the Town of Hamilton shall provide Thin-Film, Single-Use Plastic Bags to customers.
- B. If a retail establishment provides Carryout Bags to customers, the bags must be one of the following:
  1. Recyclable paper bag, or
  2. Reusable Carryout Bag, or
  3. Bag made from a polymer which meets the specifications of ASTM D6400 or ASTM 7081, as amended.
- C. Exception: Thin-film plastic bags typically without handles which are used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise are not prohibited under this bylaw.

### SECTION 4. Enforcement; violations and penalties.

- A. The Board of Health and the Health Agent shall have the authority to administer and enforce this bylaw.
- B. Whoever violates any provision of this bylaw may be penalized by a non-criminal disposition process as provided in G.L. c. 40, §21D or by the criminal or non-criminal process set forth in the Town General Bylaw Ch. XIII.
- C. For the first violation, the Enforcing Authority, upon a determination that a violation has occurred, shall issue a written warning notice to the establishment which will specify the violation.
- D. The following penalties shall apply:
  - a. A fine of \$25 for the first violation following the issuance of a written warning notice.
  - b. A fine of \$50 for the second and any other violation that occurs after the issuance of a warning notice.
- E. Fines are cumulative and each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
- F. Whoever violates any provision of this bylaw may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each offense shall be

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three hundred dollars. (\$300.00)

### **SECTION 5. Severability; effective date.**

- A. Each section of this bylaw shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of that bylaw and all other bylaws shall continue in full force.
- B. This bylaw shall take effect twelve (12) months following approval of the by-law by the Attorney General to allow time for retail establishments to use their existing inventory of plastic checkout bags and to convert to alternative packaging materials.

### **SECTION 6. Regulations**

The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this bylaw. Prior to the adoption or amendment of the rules and regulations, the Board of Health shall hold a public hearing. Notice of the time and place of the hearing, and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing. A copy of the adopted regulations shall be provided to the Office of the Town Clerk. Failure by the Board of Health to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

## **B. EXPANDED POLYSTYRENE FOOD AND BEVERAGE CONTAINERS PROHIBITED**

### **SECTION 7. Findings and Purpose**

Expanded polystyrene food containers form a significant portion of the solid waste stream going into our landfills. Local landfills are running out of room; our future solid waste may need to be transported hundreds of miles to a landfill at a considerable cost. Expanded polystyrene are not biodegradable; once buried in a landfill, they will remain for centuries. The elimination of expanded polystyrene food and beverage containers is in the best interest of the health and welfare of the inhabitants of the Town of Hamilton.

### **SECTION 8. Definitions**

As used in this article, the following terms shall have the meanings indicated:

**"Disposable Food Service Container"** shall mean single-use disposable products for serving or transporting prepared, ready-to-consume food or beverages, including, without limitation, take-out foods and/or leftovers from partially consumed meals prepared by a restaurant and/or retail food establishment. This includes, but is not limited to, plates, cups, bowls, trays, hinged or lidded containers, straws, cup lids, or utensils. It shall not include single-use disposable packaging for unprepared foods.

**"Expanded Polystyrene"** shall mean blown polystyrene (polystyrene that has been expanded or blown using a gaseous blowing agent into a solid foam) and expanded and extruded forms, which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding

## APPENDIX N

(extruded foam polystyrene), sometimes called Styrofoam, a Dow Chemical Co. trademarked form of polystyrene foam.

**"Prepared Food"** shall mean any food or beverage prepared on the restaurant and/or retail food establishment's premises using any cooking or food preparation technique. Prepared food shall not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation. Prepared food may be eaten on or off the food establishment's premises.

**"Restaurant"** shall mean any establishment which serves food for consumption whether on or off the premises and which may also maintain tables for the use of its customers.

**"Retail Food Establishment"** shall mean any establishment which sells food for consumption off the premises, including but not limited to grocery stores, theaters and all other food service establishments not included in the definition of a "Restaurant" in this section.

### SECTION 9. Prohibition

Expanded Polystyrene food or beverage Disposable Food Service Containers shall not be used to package or serve food or beverages by Restaurants and or/Retail Food Establishments within the Town of Hamilton. This bylaw shall not apply to the packaging of uncooked meat, uncooked poultry, and/or uncooked fish.

### SECTION 10. List of Available Alternatives

Not later than sixty (60) days following approval hereof by the Attorney General, the Board of Health shall adopt a list of available suitable affordable biodegradable/compostable or recyclable alternatives for each type of Disposable Food Service container per food or beverage product, which the Board of Health shall update as needed.

### SECTION 11. Enforcement, Violations and Penalties

- A. The Board of Health, the Health Agent, and persons designated by the Health Agent shall have the authority to administer and enforce this bylaw.
- B. Whoever violates any provision of this bylaw may be penalized by a non-criminal disposition process as provided in G.L. c. 40, §21D or by the criminal or non-criminal process set forth in the Town General By-law Ch. XIII.
- C. For the first violation, the Enforcing Authority, upon a determination that a violation has occurred, shall issue a written warning notice to the establishment which will specify the violation.
- D. Thereafter, the following penalties shall apply
  - a. A fine of \$25 for the first violations following the issuance of a written warning notice.
  - b. A fine of \$50 for the second and any other violation that occurs after the issuance of a warning notice.
- E. Fines are cumulative and each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
- F. Whoever violates any provision of this bylaw may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each offense shall be three hundred dollars (\$300.00).

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### **SECTION 12. Severability; effective date**

- A. Each section of this bylaw shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of the bylaw shall continue in full force.
- B. This bylaw shall take effect twelve (12) months following the approval of the bylaw by the Attorney General to allow time for Restaurants and Retail Food Establishments to use their existing inventory of Expanded Polystyrene food or beverage containers and to convert to alternative materials.

### **SECTION 13. Regulations**

The Board of Health may adopt and amend rules and regulations to effectuate the purpose of this by-law. Prior to the adoption or amendment of the rules and regulations, the Board of Health shall hold a public hearing. Notice of the time and place of the hearing, and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing. A copy of the adopted regulations shall be provided to the Office of the Town Clerk. Failure by the Board of Health to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

## APPENDIX O

Add new Section 9 to Chapter X entitled "Ways" to the Town By-laws:

**No person shall, during the period from November 15 to April 15 inclusive, discharge or cause to be discharge any groundwater, including rising ground water, uncontaminated ground water infiltration (as defined at 40 CMR § 35.005(20)), and uncontaminated pumped ground water, onto a public way or sidewalk unless first obtaining a permit from the Board of Selectmen or designee. Such permit shall require that the permittee comply with all provisions of Chapter XXX.**

And amend Chapter XXX, Section 8(b) to reference the proposed By-law (new in bold):

The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwaters provided that the source is not a significant contributor of a Pollutant to the municipal storm drain system **and such discharge complies with the requirements of Chapter X, Section 9 of these By-laws.**